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RECENT DISTURBANCES

AND

MILITARY EXECUTIONS IN CEYLON

BY J. FORBES

II

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AUTHOR OF "ELEVEN YEARS IN CEYLON"

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EDINBURGH AND LONDON

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## INTRODUCTION.

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My principal object in the following Notes is to attract attention to the wrongs of the inhabitants of the Kandian Provinces in Ceylon ; and the attempt to illustrate their early history and present position is in furtherance of the same purpose. Although I was summoned before the Committee of the House of Commons on Ceylon affairs, I had there only to answer such questions as were asked at me, and could be of comparatively little service to the cause I advocate—viz., justice, without unnecessary delay, to the Kandian people.

Before parliament was prorogued last summer, twelve months had elapsed from the time that great slaughter had been made amongst the inhabitants of the Kandian country, by the military acting in aid of the civil power. This slaughter was followed by so-called martial law and military executions, of which I cannot perceive any justification in the “ Papers relative to the affairs of Ceylon, presented to both Houses of Parliament by command of her Majesty, in February 1849 ”—commonly called the Blue Book. On the contrary, I see much on the part of the Ceylon government which requires explanation, and much which I believe it will be impossible to reconcile with sound policy, or to prove consistent with good faith and common justice.

In Ceylon, from 1826 until 1837, I had many opportunities of acquiring information on the subjects hereafter referred to, and particularly when I was commandant, district judge, and government agent in Mátalé—a district, the people of which suffered severely previous to and during the supercession of law in 1848, (p. 220, Ceylon Blue Book.) These three situations I filled from 1828

until 1837, myself and family being then the only Europeans resident in the district. In that period great arrears of revenue were collected; a voluntary settlement was made with every individual proprietor (nearly all Kandians are proprietors and cultivators) for every separate portion of land he possessed; and, after having thus commuted their land-tax for a fixed annual payment, they availed themselves of the liberal offer of Government, and finally redeemed that tax by paying ten years' purchase. The new judicial system was introduced. An entirely new arrangement of the chiefs and headmen was made. Besides these great changes, (previous to the abolition of compulsory labour,) a great extent of carriage-road was formed; whilst elephant-catching, and various other oppressive duties, were exacted from the proprietors of rice land. Yet although, to avoid the hardship of these services, some persons resigned their hereditary lands, none either resisted or disobeyed the Government orders.

Although the first person who commenced coffee planting on a large scale in the Mátalé district, I have ceased, since 1841, to have any interest in Ceylon, except in the welfare of its people, and in the general prosperity of the colony. Since 1842 I have spent some years on the continent of India, with the regiment in which I served for thirty-four years, and from which, and from the army, I have now retired.

12 LANSDOWN TERRACE,  
CHELTENHAM.

## RECENT DISTURBANCES

AND

## MILITARY EXECUTIONS IN CEYLON.

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I SHALL commence by noticing the position of the various races and native inhabitants of Ceylon, who may be thus arranged:—Malabars, who profess, in name of religion, some of the various forms of Hindu superstition, and occupy the northern and eastern parts of the island. Cingalese, of the maritime provinces. These, having for centuries been under European control, retain but little feeling of nationality: they profess either the Christian or Buddhist religions. The Vedahs are the aboriginal inhabitants of the country, who occupy an unfertile and unhealthy tract of the interior, next to the eastern portion of the maritime provinces. Their religion consists of degrading superstitions, which I shall afterwards have occasion to notice. The Vedahs are utterly uncivilised and ignorant; but, being scanty in numbers, and neither cruel nor troublesome, they are politically unimportant. Mahomedans, called Moormen by the British, are scattered over all parts of the island; and, although possessing considerable extent of lands, are principally devoted to trade. There remains, to complete the list of native inhabitants—the Cingalese of the interior, the inhabitants of the Kandian country. These Notes are mainly intended to explain their history, to expose their wrongs, to claim for them those privileges to which they are entitled, and to denounce those acts of cruelty and injustice to which they appear to have been subjected.

An independent nation until 1815, the Kandians still retain strong national feelings, and possess more independence and energy of character than are usually found in the natives of so warm a climate. Inhabiting a land of mountain and forest, may partly account for an anomaly in their character—viz., being superstitious and credulous, at the same time subtle and intelligent. Quick to



discover, and keen to feel injustice, they are not only aware of the duties that their rulers may justly demand, but also know their own rights; and cannot but remember, that immunities solemnly guaranteed to them have been withdrawn, and promises deliberately made in their favour have been wantonly broken.

Of the decision with which they were in the habit of asserting their rights in former days, I shall give an instance which occurred on the 3d March 1815, the day after they had formally transferred their allegiance to the British crown. The town of Kandy was then full of British troops; the governor, surrounded by his staff, the official authorities, and the officers of the garrison, was in the audience-hall, publicly conferring the appointments of chiefs of provinces on the Kandians of highest rank. The custom, on such occasions, under their native sovereigns had been, that the chiefs and all their subordinate headmen should kneel; but it had been explained to the chiefs that the kneeling part of the ceremony was to be dispensed with hereafter, and on this occasion. This, however, they had not communicated to the headmen, who soon found themselves kneeling, and the chiefs standing, in presence of the British governor. Against this arrangement the headmen indignantly and successfully protested, declaring "they would, as formerly, if required, kneel along with their chiefs, but not to them."

I must now revert to the first proclamation of the British governor, at the period when the whole island of Ceylon was united under the British crown, that I may show the terms on which the Kandian country was acquired, and enable others to judge whether the stipulations then agreed to have been fulfilled by both parties,—viz., the British Government and the Kandian people.

On the 10th January 1815, the governor and commander-in-chief of the British possessions in Ceylon, Sir Robert Brownrigg, issued a proclamation, declaring war against the Kandian king and his adherents only; and stating that the protection of the British Government was already implored by more than half of the Kandian people—that it was to be immediately accorded; and the proclamation thus concluded—"Lastly, His Excellency promises, in the name of his Majesty the King of Great Britain, to the chiefs the continuance of their respective ranks and dignities; to the people, relief from all arbitrary severities and oppressions, with the fullest protection of their persons and property; and to all classes the inviolate maintenance of their religion, and the preservation of their ancient laws and institutions, with the extension of the blessings resulting from the establishment of justice, security, and peace, which are enjoyed by the most favoured nations living under the safeguard of the British crown." It is pleasing to remark that these fair promises were scrupulously fulfilled by the governor who made them.

The issue of this proclamation was followed by the immediate advance of the British divisions, who found their most formidable difficulties in the nature of the country; but these had been foreseen, and the army, to use the words of the official declaration, "led by the invitations of the chiefs, and welcomed by the acclamations of the people," advanced through the country, and entered Kandy on the 14th February. On the 18th February, the king was made prisoner, and delivered up to the British by his own subjects; and I may conclude this notice of him by stating, that he was sent as a prisoner to Madras, and detained at Vellore, where he died in the year 1832, aged fifty-two years.

On the 2d March 1815, "a public instrument of treaty," which had been previously agreed on by the British Government and the native chiefs, was publicly read in the Cingalese language, and unanimously assented to by the Kandian people. *Not till then* was the British flag hoisted, *and then* a royal salute announced that the King of Great Britain was sovereign of the whole island of Ceylon.

The most important articles of the convention were, the preservation of the religion of Buddha, and the recognition of the local institutions; which "were made a *sine quâ non* of the voluntary submission of the Kandian people to a European power." The clause regarding their religion is the 5th—viz., "The religion of Buddha, professed by the chiefs and inhabitants of these provinces, is declared inviolable; and its rites, ministers, and places of worship, are to be maintained and protected."

The 7th clause says, "No sentence of death can be carried into execution against any inhabitant, except by the written warrant of the British governor or lieutenant-governor for the time being." However, the instructions to governors of all British colonies now contain a clause even more explicit than this, and to the same effect.

In 1817 there was a *real* rebellion; when a majority of the Kandians vainly attempted to expel the British, who had acquired authority over them in 1815. From the inaccessible nature of the country, (for then the roads were foot-paths, all but impassable, and leading through jungles entirely impenetrable to troops,) and not from the power and resources of the natives, that rebellion at one time assumed a serious appearance. It is probable that greater severity at the commencement of this insurrection might have eventually proved more humane in the end; for, although done in defiance of the merciful intentions of the governor, it cannot be denied that much cruelty was practised on, and great sufferings were endured by, the Kandian villagers in the more remote parts of the country, in consequence of the long continuance of disturbances, and the number of small military parties which it was found necessary to employ. His amiable policy was not, however, without an excellent effect; for all intelligent Kandians acknowledged and contrasted the humanity of the first British governor with the

cruel tyranny of their last native king. I must guard myself against being supposed to admit or believe that severity, if it were advisable in 1817, was defensible in 1848: there is a greater difference now, between the facility of communication and consequent control over the people by Government in the Kandian country, since 1817, than there is between Scotland before the Union and Scotland in 1848.

On the termination of the rebellion, Sir Robert Brownrigg took advantage of the breach of faith on the part of some of the chiefs, to modify the convention by a proclamation dated 21st November 1818: but even in it I find clause 10th, "As well the priests as all the ceremonies and processions of the Buddha religion shall receive the respect which in former times was shown them;" and again, in clause 21, "The governor, desirous of showing the adherence of Government to its stipulations in favour of the religion of the people, exempts all lands which are now the property of temples from all taxation whatever."

In the same proclamation (clause 17)—"All other duties or taxes whatsoever are abolished, save and except that now declared and enacted, being a tax on all paddy (rice) lands of a portion of the annual produce. The general assessment is fixed at one-tenth of the annual produce," certain loyal districts at one-fourteenth, lands forfeited and restored to former owners at one-fifth.

In the 56th and last clause, the governor says, that he "reserves full power to alter the present provisions, as may hereafter appear necessary or expedient." From the upright character of Sir Robert Brownrigg, I do not believe that he ever expected this general expression would be quoted as an authority for a breach of specific promises, guaranteed by a solemn treaty, particularly where no imperative necessity existed. But if it had been his intention, a reservation of this kind, in such a document, would be no excuse for any one acting with downright injustice.

In 1820, Sir Robert Brownrigg was succeeded in the government of Ceylon by Sir Edward Barnes, who immediately commenced and energetically prosecuted the opening up of the Kandian country by means of carriage-roads. Besides other advantages from this policy, it thereafter rendered hopeless of success any future attempt at rebellion. The vigilance and personal activity of Sir Edward Barnes did as much as any one could do, to secure for the public the benefit of the services of that portion of the community who were compelled to work for all—viz., the possessors of rice land, who principally formed all the roads which were executed in the Kandian country prior to 1832; although all other persons equally benefited by their labour.

In doing justice to the exertions of Sir Edward Barnes, I must not be supposed to approve of the continuance of the system of services, called by the natives Raja-Karia, (King's service,) by



which these roads were formed ; elephants were caught, trees were felled, timber was dragged, and nearly all public and (surreptitiously) much private work, was executed by the Kandian cultivators. It is true that the demand for these public duties could be excused according to ancient custom ; but no native sovereign, in his wildest dreams of despotism, would have thought of exacting the same amount of revenue and labour as was raised and expended, much of it unprofitably and uselessly expended, under the British government. Yet, although the amount demanded was excessive, Raja-Karia was sanctioned by ancient precedent, and so the Kandians suffered and obeyed : or resigned their lands, and thereafter ceased to be liable to a servitude which enforced caste, prevented agricultural improvement, wasted labour, diminished population, and produced no results adequate to the loss sustained by the community.

An elephant hunt was a very interesting sight to European visitors, or to those who, exempt from its dangers, were ignorant or regardless of the hardships it brought upon the inhabitants ; but any one who knew the details of money and labour expended on elephant catching and training, under the system of Raja-Karia and European superintendence, will admit that it was unprofitable to Government, most oppressive to the natives, and beneficial to none. It has been asserted that these hunts were advantageous to the inhabitants, by reducing the number of elephants—an absurd argument for getting up an expensive amusement without cost to those entertained. It may be answered by the fact that Major Rogers on foot, with his own guns, in a few years, and in the leisure hours allowed by a laborious office, killed more of these destructive brutes than have been captured in the fifty years that the British have possessed territory in Ceylon. Another excuse offered for elephant hunts was, that a supply of these animals was required for public and private works ; but the reply to this is, that elephants are not useful in proportion to the cost of catching and keeping them. Besides, not only was there great expenditure of labour in driving elephants, but the loss of life was considerable ; yet no remuneration was given to the families of those who were killed, nor was any provision made for those who were maimed in this dangerous service.

In consequence of the report of his Majesty's Commissioners of Inquiry, an order of the King in council reached Ceylon in September 1832, which then explicitly, and, as I vainly hoped, for ever abolished the system of Raja-Karia. The effect of this great act of policy and justice, was to render the Kandian cultivator a sincerely loyal subject, and to place him in an independent and enviable position. The general standard of comfort amongst the natives was suddenly raised, and the prosperity of the people produced the natural result on the revenue of the island.

The land-tax had, in the Kandian country, been commuted by an optional and equitable arrangement with every proprietor of rice land. Afterwards, on the basis of this arrangement, the inhabitants of Mátalé, and some other divisions, for ever redeemed their land-tax. They thus identified their own interest with the permanence of the British government; for well they know that a native dynasty, in the interior of Ceylon, could not exist without the land-tax and feudal services. When the act of the British King abolishing Raja-Karia was made known to them, according with their belief in transmigration, they exclaimed—"We have surely done nothing in our present state of existence to merit a blessing such as our forefathers never knew." In 1832, this Magna Charta of Ceylon, not then expected to be a temporary delusion, appeared suddenly, and was hailed triumphantly! In 1848 it was extinguished in blood; and a deeper gloom now rests on the land thus transiently illuminated and treacherously darkened. Little did the Kandians who listened—still less did the British agent who published these glad tidings,—suspect that he was an accomplice in a "delusion, a mockery, a snare," and a cheat!

I look with no favourable eye on the dark spots of that page in history, which records the dealings of the British with their enemies in Ceylon. Still less am I inclined to excuse graver errors, if not greater crimes, committed against those who are now our fellow-subjects in that island. Some time prior to 1847, there was an extravagant increase of permanent establishments, and an expenditure made to suit a temporary and factitious increase of the revenue; yet the native inhabitants, unless their discretion was overpowered by passion, were in very many cases excluded from justice by the expense of obtaining it. Their interests, which in policy and equity ought to have been paramount, were not sufficiently considered. Their pasture lands were abridged to that extent in accommodating European speculators, that I find villagers, in a country where only one-thirtieth is cultivated, begging that at least a place may be allotted in which to deposit the ashes of their dead!—(Blue Book, p. 139.) But I have not space to dwell on these times and details, especially as all these abuses were retained, yet became insignificant when compared with the transactions of 1847–8.

To those who are interested in concealment, I shall leave the task of confusing all the various complaints and different kinds of complainants from Ceylon, and confine myself to the grievances of those least able to advocate their own cause—viz., the Cingalese, who alone have yet suffered to the extent of torture, transportation, and death. In support of their claims to justice, I do not call it mercy, I shall principally rely on the evidence of their adversaries—for such, unfortunately, appear to be those who have been placed as their protectors.



Before I proceed further, let me explain why I consider that, in commenting, or even passing judgment in this case, as it now stands, I do no injustice to the Ceylon authorities, and may more materially assist my suffering fellow-subjects in that colony. I dispose at once of the first argument—viz., injustice to absent authorities, or to their present and powerful protectors, for I judge them on their own statements; and for the deficiency of information, if not an additional crime, it is at least an aggravation of former conduct, and not a legitimate excuse, on their part, for further delay. True, we cannot recal the fatal bullet, arrest the murderous Cris, or remit from the back of more than threescore of objects the torture-brand of the British cat-o'-nine-tails. But if a few gentlemen, collectively, and by courtesy of Ceylon despatches, styled "courts-martial," have, without legal authority, assumed the duties of real general courts-martial, or of jurymen and judges; if they have accepted a power over life and death, which is solely confided to the representative of the Sovereign—a power which he could not delegate, nor they exercise—if such things have been done as are registered in the black record of the Blue Book of Ceylon, then I say that full and reasonable explanations, proofs of overwhelming necessity, should *long ere now* have been produced as an excuse, or every possible atonement should have been offered to the surviving victims of an outraged people.\*

I would now ask, 1st, Were not unjust taxes rashly enacted, recklessly supported, and lightly abandoned? 2d, Were not former laws and proclamations, by which the Kandians had been ruled, publicly misinterpreted to them, and then contrasted with new ordinances? 3d, Has not the British faith been violated in the matter of the religion of the people, and justice been denied to the claims of the priesthood? 4th, With the knowledge of the authorities, and without molestation from them, were not gang robbers, thieves, and prison-breakers permitted to conspire, and to intimidate, or entice a portion of a justly-discontented people into riots, which were put down as a rebellion? 5th, Did not hundreds of persons fall by the rifle-bullet, or sink below the Malay Cris? and were not eighteen persons tried, convicted, and executed, by tribunals anomalous, unnecessary, and unknown to the law? 6th, Were not the crimes charged against some of the prisoners illegally and criminally brief, even in cases where the sentence was death, and execution immediately followed? 7th, Was not martial law rashly proclaimed without sufficient cause, and long adhered to without conceivable excuse?

These are some of the most prominent questions suggested by the Blue Book, all of which I shall answer in the affirmative, and

\* Before the British Parliament separated in 1849, a whole year had elapsed from the time when martial law was proclaimed in the Kandian district, after a great slaughter of the natives in July 1848.

for so doing give my reasons. 1st. Regarding taxes rashly enacted, recklessly supported, and lightly abandoned, I shall take the case of three imposed by the ordinances in 1848—viz. the dog, gun, and road ordinances. I shall shortly dispose of the dog tax, as extended to the whole country. It was absurd, because impracticable; impolitic, because irritating; and would have been ludicrous, had it not been mischievous: it was enacted before, and abandoned after, the disturbances in 1848. The gun tax was impolitic and irritating; and although Government say it has only been amended since the disturbances, I must point out that that amendment brings back the law to what it formerly was in the Kandian country—a law which was always cheerfully acquiesced in. The guns of the Kandians were registered; and, so far from their being prohibited from the use of firearms, as asserted, (p. 146, Blue Book,) gunpowder was sold to the natives of Mátalé, and at the principal stations, from the stores of the British Government. The difficulties mentioned by the governor, in attempting to carry out the details of the gun ordinance in its original form, and which are given as reasons (p. 291-2) for its amendment, ought, along with others not mentioned, and more cogent, to have been known to every one competent to legislate for the island at the time it was enacted. The road ordinance was passed before the disturbances, and embodied a breach of faith and treaty, an insult to the religion of the people, by subjecting Buddhist priests to compulsory labour. This has been amended since the disturbances. This ordinance is, in fact, establishing a general system of slavery for the *poor* native in Ceylon. It is in principle far more objectionable than the Raja-Karia of former days, which, in 1832, was promptly extinguished, by order of the King in council, so soon as it was known to exist, and its mischievous effects were demonstrated. Raja-Karia was not slavery; it was the result of a tacit agreement—duties attached to the land which an individual held; and from these duties he could escape by surrendering the land, as sometimes occurred, when services too oppressive were demanded by the British Government.

By this road ordinance, as it is called, but which now includes other works besides roads, compulsory gratuitous services are to be enforced from every male, or a poll tax of three shillings as an equivalent; and these unpaid services may be enforced by flogging! They are not attached to property; for the actual *existence* of an unclothed or attenuated pauper is sufficient cause why he must pay as high a direct tax as the wealthy capitalist, or the Colonial Secretary, who draws £2500 a-year from the revenues of the island. Those who cannot raise three shillings are to be amenable to the lash, and labour for six days. Such is now the condition of our once free fellow-subjects in Ceylon; and, to make it more intolerable to them, although the principle is quite intelligible to me, “strangers from India in search of, or employed in



agricultural labour," are not only exempted, (p. 120, sec. 1,) but medical attendance is afforded to them at the public expense!—(P. 65, sec. 9.) Regarding these favoured "strangers," I have the authority of the superintendent of police at Kandy, that "when the country was disturbed, Malabar Coolies" (these are the "strangers") "in some instances plundered the Kandian villages," and that complaints have been made of their pilfering and "vagrancy by the villagers." Now for the proposed reward of these "strangers;" and, as otherwise it might appear incredible that such a proposal was pressed upon the governor by the Colonial Secretary, I give it in his own words. In writing of *prospective* confiscations at Mátalé and Kornegalle, he says,— "The opportunity that now presents itself of locating a race of Malabars in these important positions, on the lands forfeited by the rebels, is one which I earnestly trust your Excellency will not allow to pass unimproved," (p. 200, sec. 9.)

It is significant, but it is also satisfactory to observe, that, in the proceedings of the Legislative Council, which altered the original penalty in the road ordinance, so as to admit of flogging, no one mentioned such an unpopular word, or even corporal punishment; nor would such a change have been guessed at in England, unless by those who read the proceedings under excited suspicions. One word more on this powerfully supported, but, at present, most iniquitous ordinance. I know that Raja-Karia was carried on to an extreme extent latterly, without having occasion to resort to that odious punishment for a civil offence. But I admit that slavery is incomplete without the lash, and, therefore, that the derision (p. 275) of the Council at the mention of the penalty "fine," which had been sanctioned by the Colonial Office; and the quiet way in which flogging was introduced, were not unwise; for these acts, when known in Britain, cannot be tolerated.

If it is competent to the legislature of Ceylon to cause every man to serve for a week, why may they not increase it to ten? To redeem this, would only cost the agent of the great capitalist thirty shillings; (for their labourers, as we have seen, are not only exempted, but provided with medical attendance gratis.) To the Colonial Secretary, it would cost thirty shillings, out of his £2500; and as thirty shillings would equally emancipate for the year the native Kulikaria, the equality and justice of the ordinance would be more clearly shown than it was by the official explanation afforded to the intelligent, and I venture to add, incredulous Kandians, on the 8th and 10th July 1848.

In 1832, it was announced to all the people that compulsory services, Raja-Karia, were abolished by order of the King of Great Britain. On the faith of this announcement, the land tax has, in many places—Mátalé for one—been redeemed; Government rice-lands were also sold, guaranteed free of Raja-Karia, and thus

realised enormous prices. Now, not on the land, but on the purchasers themselves, have services of a nature worse than Raja-Karia been imposed. It is avowed that the labour now to be exacted is "to be bestowed on works exclusively of a public nature," (p. 277, sec. 1.) But this is in defiance of the true and honest meaning of his Majesty's orders, and of the promises publicly made to the people by order of the Government. It may be well here to notice, what I may afterwards advert to, that Government is not pledged against "local assessments for local purposes," and this would, *to a certain extent*, include roads. Local assessments for local purposes would be just, and are necessary.

The great lines of road in the interior of Ceylon were made prior to 1833, and principally at the expense of the lives, and unpaid labour, of the native proprietors of rice land. But the greatest benefit of these roads is derived by those British capitalists, who in no way contributed to their formation. On the 13th December 1848, I find it stated in council by the Colonial Secretary,—"The expenditure for roads, chiefly to open up the districts taken possession of by coffee-planters, had, during the last seven years, nearly reached a quarter of a million sterling." That is to say, this immense sum was expended to open up roads through the least frequented or entirely uninhabited parts of the island.

In 1849, 40,000,000 lb. of coffee have passed by the roads to the coast from the mountains of Ceylon; yet the trifling duty formerly paid on this great article of export was remitted in the face of a deficient revenue; and road, gun, dog, shop, and other taxes, were imposed to make up the deficiency to which this remission contributed. Every male, from eighteen to fifty-five years of age, is now, by the road ordinance, to work six days or pay three shillings; therefore, if I take the population at a million and a half, and that of the Europeans, not exempted, at half a thousand, we shall at once see that it was removing a moderate indirect taxation from the European capitalist, to inflict large direct taxation on the native. True, at the time it was stated that, in lieu of the export duty, it was intended to levy a direct tax on land; but although I am not inclined to over-rate the local knowledge of the Ceylon executive, I cannot give them credit for being so ignorant as to expect they could do what their intention announced.

I have seen men who may know much of continental India, and do know little of Ceylon, indulge in such ideas as introducing something like their beloved Indian land tax! But although bloodshed and oppression may, for a limited time and space, disfigure the face of society in Ceylon, I would be the last person to advocate the introduction of the far more grievous, though less obtrusive curses of an Indian system. I know it would be impolitic, and fortunately (I think) it is impossible, to introduce into Ceylon any of the systems which keep the natives of Hindostan

in abject, and, apparently, hopeless poverty. It will be time enough to import legislation into Ceylon from the neighbouring continent, when the Cingalese have forgotten what they suffered under the Indian government in 1796-7-8.

I shall now conclude my remarks on the dog, gun, and road taxes, by stating that they were all imposed in 1848, before the disturbances, and adhered to notwithstanding remonstrances; that after the disturbances the dog tax was abandoned, the gun tax amended to what was formerly practised, and never objected to; and the road tax amended by exempting Buddhist priests, but otherwise made more unjust and arbitrary than in its original form. The dictum of an ex-minister, not extemporised in debate, but embodied in deliberate history, is peculiarly appropriate to these ordinances:—"The discontent excited by direct imposts is indeed almost always out of proportion to the quantity of money which they bring into the exchequer." \*

The next point, No. 2, is—Have not former laws and proclamations, by which the Kandian people were ruled, been publicly misinterpreted to them, and then contrasted with new ordinances?

Eighteen or twenty days before the Mátalé disturbances, the Colonial Secretary was in Kandy, "by orders of his Excellency the Governor, to hear of what the people had to complain," (p. 145.) To the chiefs, headmen, and people, he publicly said, "Heretofore, no Kandian could keep a gun or use firearms of any description." "After the rebellion (of 1817) a severe law was passed"—it declared that every man that transgressed "it by keeping a gun might be flogged by the Government agent—and not only flogged, but imprisoned by him." "The Government were then afraid to trust them with a gun, for fear they would use it against the Government. But now things were different, the Government had no fear of the people. Lord Torrington did not doubt the loyalty of the Kandians; he had no uneasiness at their having guns in their hands." "Then he asked, which would they prefer—the old law, to keep no gun; or the new one, to register them? The new one, to pay 2s. 6d. annually; or the old one, to be flogged for having firearms at all?"—(P. 146.)

These are extracts from the official and "correct copy" of the proceedings at Kandy. My explanation is—that the agents of Government in the Kandian provinces, could and did give authority to the natives to possess guns, a register of which was kept; that a great many had guns: that they were even *supplied with gunpowder for payment* by Government; and that, for this purpose, a supply was kept at the several stations in the Kandian country. It is true that a severe penalty was attached to any one keeping a gun without authority from the Government agent; but for many years, in the Mátalé district, it had not in any instance been found



necessary to enforce it. As to the above announcement of Lord Torrington's confidence in the loyalty of the Kandians, I believe it to have been better founded than his subsequent distrust; for if Government had done its duty with justice and vigilance, there would have been no cause, within three weeks of this declaration, for the military to attack the people; and no pretence for the horrors of martial law as exercised, and but partially exhibited in the Blue Book.

Regarding the road ordinance, the Colonial Secretary informed the Kandians thus:—"You have two harvests in a year." And again, "Out of twelve months you work but three: surely, out of the other nine, you can give six days to make roads for yourselves," (p. 147.) On this I have to remark, that different kinds of rice (the harvests to which he refers) require to be on the ground for periods varying from three and a half to seven months; and during the whole time it must be watched—particularly at night. The amount of labour which this imposes on the cultivator is necessarily great, but, not being prominently visible, is very generally undervalued by Europeans. Before and along with the watching, is required the cleaning of the water-courses, fencing, banking, ploughing, sowing, transplanting, weeding, and reaping the fields; then comes treading out the grain, and removing it to the garner. In a country subject to so much heavy periodical rains, the thatching and repairing of houses also requires considerable attention; and there are the other usual occupations common to the cultivators of all countries, although they may not be blest with two harvests. What, then, must have been the astonishment of the Kandians, who are all cultivators, at the official, but, unfortunately for them, apocryphal announcement, that for two harvests they had to work but three months in the year?

In the assembly to which these explanations were afforded, I find that one young Kandian, of a chief's family, who had the benefit of an education under European instructors, supported the views of Government. He was publicly thanked in the name of the governor, and had his conduct contrasted with that of the chiefs in office, (p. 147.) I believe the public merits of this young gentleman were not inferior to his private ones, which have since procured him a sentence of fourteen years' transportation—not as a traitor, but as a felon.

It was also explained to the Kandians, that, in the "time of Raja-Karia, they might be carried to the most distant parts of the island, to labour for the Government," (p. 161,) which all of them must have known to be even a greater error than what followed—viz., that by the new "road ordinance they could only be taken a few miles from their own houses." They were moreover told, that now "every individual in the island, the governor excepted, was to contribute his PROPORTION to its improvement!!!" (p. 161.)

These assertions are near the commencement of a long narrative, which appears to be a standard reference to the colonial authorities. I have studied this document, and have only space to record my dissent from many of its statements, and nearly all its conclusions—whether relating to times past, present, or prospective; to questions historical, political, or topographical.

The next query, the third—viz., Has not the British faith been violated in the matter of the religion of the people, and justice been denied to the claims of the priesthood?

I think no one will deny that, since 1847, these points must be answered in the affirmative; or if they do, I beg them to refer to the extracts already given from the proclamation of 10th January 1815, the convention of the 2d March 1815, and the proclamation of 21st November 1818. The Buddhist priests, at an audience, told the present governor, and it is not gainsaid, “that the authority of the heads of their establishment was gone, the offices of chief priests were still vacant, their controlling authority was annihilated, and even the temple tenants refused to do the services which were necessary as the condition of the tenure of their lands,” (p. 226.)

The agent of Government for Kandy and the surrounding district, reports, after the disturbances, (p. 227.)—“With the exception of three schools, a population of 211,000 souls are without any instruction, and are left entirely to the baneful influence of the Buddhist priests. The grand themes on which the priests descant, in their arguments for the subversion of the British supremacy, are the evils its rule has brought on them by the introduction of ardent spirits, industriously spread through every district, carrying with it, wherever a tavern is established, (there are 133 in the province,) the vices of drunkenness and gambling, and the consequent crimes of robbery and murder; and the decline of their religion and the ruin of their temples, owing to the Government having ceased to maintain them, as agreed by the fifth clause of the convention of 1815, and the proclamation of 21st November 1818. They also represent as a grievance the doubt, that has for many years remained unsettled, as to the right of temples to the lands claimed by them. To allow these claims would be at once to give up some 100,000 acres of valuable land; and to contest them would be to open a wide door for the forging of fraudulent Sannas, and the commission of extensive perjuries. Thus, from various causes, this question has from time to time been laid over, owing to the manifest difficulties connected with it; while the priests have been encroaching on the rights of the crown, and are constantly in expectation of being dispossessed of the lands usurped by them.” On these questions I would here remark that I entirely sympathise in the feelings of the Buddhist priests, and denounce what they are only accused of “descanting on”—viz., the estab-

lishment of one hundred and thirty-three Government taverns for the sale of ardent spirits, to about two hundred thousand persons, whose religion forbids them to taste the accursed draught thus pressed to their lips by a Christian government. This policy not only increases the revenue and the number of nominal Christians, but multiplies drunkenness, gambling, robbery, and murder. I know that, in a few years, there has been a great decrease in the influence of the Buddhist priesthood, and an immense increase of crime, accompanied or followed by a new, expensive, and, if I may judge from the Mátalé disturbances, inefficient police establishment. Then there are the claims of the priests on behalf of the temples, and, as above admitted by the agent of Government, I, in place of a "grievance," call the conduct of Government downright injustice, supported by arguments utterly untenable.

Again, (I quote from the agent of Government in Kandy,) "Another source of discontent is the impossibility of obtaining justice in the district courts, without the all but certainty of utter ruin." This proposition requires no further illustration than the corollary which follows in the same report—viz., the most active parties in the late disturbance were those who had been reduced to poverty in consequence of their constant attendance at courts of law," (p. 228.)

Want of space renders it necessary to leave the list of admitted grievances, and to quote, from the same report, a sentence regarding the resident chief-priest of Dambool and three others:—"It is much to be regretted that the four priests, concerned in the crowning of the pretender, have been acquitted by a most merciful jury." I know this chief-priest, and how he was appointed to that important situation; and now see in the Blue Book, what I distrusted when I saw it referred to elsewhere—viz., that he was interrogated at great length, (p. 189,) thereafter made prisoner, and then tried for high treason. Even before I saw this, and the account of his trial, I trembled for his fate, although I believed in his innocence. After seeing the account of his trial, I feel how much, not only Ambulambe Unanze and the other three priests, but justice, and the character of the British nation, owe to the chief judge of Ceylon, and that jury who, being just, are condemned as merciful, and have their proceedings contrasted with "the prompt and energetic measures of the military court," which "counteracted the leniency of the civil court," (p. 229.) The following remark is extracted from a report of the governor's speech to the Legislative Council on the 17th October 1848, and is not in the Blue Book—"Though the priests were acquitted, it was from the incompleteness of the evidence, and not from any doubt of their guilt, as they had confessed their criminality." These remarks appear to me liable to a graver objection than want of accuracy; for they were likely to have an injurious influence on



the fate of other prisoners who were to be arraigned for the same crime.

The fourth subject of inquiry which I propose to answer is:—with the knowledge of the British authorities, and without molestation from them, were not gang robbers, thieves, and prison-breakers, permitted to conspire, and to intimidate or entice a portion of a justly discontented people into riots which were put down as a rebellion? To show that this was the case, it is necessary to turn to former attempts at disturbance in the Kandian district, where the insurrection of 1848 originated—viz., Mátalé. I have already mentioned the rebellion which occurred in 1817, previous to the extensive introduction of good roads, and a more direct control by British authorities over the Kandian people. The next attempt at disturbance was in 1823, when there was a trifling insurrection in Oodagodda Korle of Mátalé. For this a priest and headman were hanged. There was another in 1824, in Gangalla Korle of Mátalé. I have good reason for believing that these foolish attempts were connived at, probably instigated, by a person holding an influential situation under the British Government—for, many years after, it was proved that at least one of the victims in the Gangalla insurrection had been convicted and transported, by means of conspiracy and perjury, for treason of which he was innocent, while wealth was his real crime.

In 1831 there was an attempt to frighten the villagers of Gantony in Mátalé, as a prelude to some professional impostor prince appearing. I reported the circumstances to the then superior Government agent at Kandy, by express. He arrived at Mátalé during the same night, and we immediately proceeded to the spot by torch-light. The instigators of the mischief were detected, and on their way to gaol, within twenty-four hours after the arrival of the agent of the district.

In 1834, in consequence of the abolition of Raja-Karia, and some changes which, although not positively unjust, yet bore hard on the properties as well as on the power of the chiefs and the influence of the priests, there was considerable discontent, and an attempt to form a conspiracy against the British Government. It is not improbable that these threatenings of mischief would have subsided without any results; but the peace of the country was not to be uselessly risked, and some of the most prominent chiefs and two priests were arrested. They were tried before the Supreme Court, and acquitted; but the trials produced all the good effects that were required. They proved the vigilance of Government, and how vain it was to oppose a power whose proceedings were marked with the impartial and deliberate justice accorded to the accused before the Supreme Court.

In 1836 one of these professional impostors, who have occasionally disturbed the Kandian country, established himself in the most

inaccessible part of the Mátalé district. In less than twenty-four hours after the circumstance was reported, he was made a prisoner; and, having previously received the permission of Government, I committed him as a vagrant. He was sent to labour; and the villagers who had furnished him with food were laughed at and dismissed.

Thus it was that, for many years, all attempts at public disturbance were immediately suppressed; whilst the perpetrators of these crimes—they were comparatively few—were almost invariably detected. Yet there was then no regular police; the chiefs, headmen, and a few native messengers, being sufficient for the performance of that, along with their other duties.

The commandant of Kandy says (but with cautious reserve) “that Mátalé has ever been disaffected.” I can only say that he was misinformed, and consider it most unfortunate that he was so.

Having thus shown how the peace of the Mátalé district was easily, inexpensively, and effectually preserved for many years, I shall proceed to give my reasons for considering the connivance of Government as the immediate cause of the actual disturbances of 1848 assuming a serious form. And first I shall give a short account of the leaders in the movement.

The pretender’s name, from the Blue Book, (p. 190,) is given as “Sereweek Kereme Saraawe Siddipi,” which I suppose to be in place of, Sri Wikrama Sardawa Siddhapa—the illustrious, heroic, pious, divinely accomplished prince. This was the name he assumed; I shall, as shorter, give his original one of David—from which, and from his jargon of prayer to the Chief-justice, (p. 298,) I presume he is an occasional or nominal Christian. King David’s real position, as described by Mr Colepepper, (p. 203,) (a magistrate employed officially by Government to make inquiries into the causes of the disturbances,) was that of a low caste, low-country Cingalese, a freebooter by profession, (p. 204.) This magistrate also reports that King David, on receiving his share of the plunder, withdrew from the tumult, (p. 203.)

Denis, whom King David calls brother, seems to have been a kindred spirit, as the Government agent on the 5th July, or three weeks before David assumed his royal functions at Dambool, (p. 139,) styles him “the vagrant Denis,” and adds, “his operations must be extremely profitable to him.” He had walked off with £5 belonging to a priest, which had been collected for the repair of a temple.

Poorangappoo is the next leader. He was sword-bearer to King David. He was moreover an escaped prisoner and gang-robber, (p. 229, § 3; p. 204, § 3.) Dingerall comes next: he is described by the Government agent as having taken an active part, along with Denis, in some disturbances in 1842, (p. 229, § 1.) The Adikar of King David is said to have been a (p. 204,) Rattamahatmea, who was dismissed on “suspicion of having been concerned in a



murder." The governor says (p. 172,) he was formerly the highest native officer in the Mátalé district. From his name as given in the Kandian commandant's letter, (p. 184,) I believe him to be an inferior headman—viz., Ookwelle Ratte Ralle. If so, and if he was ever made the highest native officer in Mátalé, it must have been a misfortune as well as an insult to the whole district. (Governor's Despatch, 9th February 1849.)

These were the leaders, "adventurers, and depredators;" and, from the same authorities, I learn that their followers were thieves, robbers, and outlaws, (pp. 203, 204,) to which, in time, were joined the ill-disposed and evil-doers of the district, "desperate Kandians," (p. 176,) and those who had been ruined by the expense of litigation, (p. 228.) Yet the unfortunate villagers of Mátalé were purposely left devoid of protection (p. 176) against these miscreants; who at last, by their numbers, were able to intimidate the Kandians into accompanying them, when they plundered the village of Mátalé. The disturbances at Mátalé did not in any way originate with the Kandian villagers, says the magistrate, Mr Colepepper, (p. 203;) and the Colonial Secretary says, "The assaults upon some of the coffee plantations in the vicinity of Mátalé, and the destruction of the bungaloes and property, were, I have reason to fear, instigated less by political excitement than a remembrance of some personal injury at the hands of people employed on the estates," (p. 164, sec. 1.)

It may be well, to illustrate what follows, that we here note that Kadawellé is distant from Kandy 7 miles, Mátalé 17, Lenadorra 38, and Dambool 45½; that all these places are near the carriage and post road from Kandy to Trinkomalee; that Kandy is the headquarters of the military in the interior—also the station of the Government agent and district judge. Mátalé is the station of the police magistrate of that division. From the despatch of the Kandy commandant, dated 12th October 1848, (p. 240,) it would appear that King David had for a long time been playing royal antics in the Mátalé district, and that he was accumulating a large force around him about the middle of July. Even at Kaigalla, far beyond Kandy, on the Colombo road, it was known on the 22d, and reported on the 23d July, that there was a pretender and an illegal assemblage near Dambool, (p. 176, Letter of David.) From the report of the Government agent of Kandy, (p. 229, sec. 1, 2, 3,) it appears he knew of the lawless gang, disturbers of the public peace, in the Mátalé district. It appeared, on the trial of the priests, (not in Blue Book,) that these disturbers of the peace were at Lenadorra on the 23d, 24th, and 25th July; that they retired to Dambool on the 26th, and did not reach Mátalé from Dambool until the 28th. This also appeared on the trial of Lenadorra Aratchy.

Even if I had not given the above proofs, any one who

knows the country well would have felt certain that such events could not have taken place without the knowledge of the British authorities in Mátalé and Kandy; and I do not doubt that the native chief who was superintendant of police there—viz., Loco Banda, as he is generally called—knew from first to last every minute particular of what was passing at Mátalé. As superintendant of police, it was his duty to learn the movements of the assembling gang; and even if he had not been so employed, Dunuwellé Loca Banda, from his acquaintance and connexion with the district, would not have been ignorant of all they were doing. The following quotation shows that he knew and communicated all, or part of his information, to his superiors. It is from his letter to the governor's private secretary, and dated 25th July, (p. 176.) "After some consultation with the Government agent and the district judge just now, we have come to the resolution of keeping quite quiet about it until they, the mob assembled, would commit some disturbance, so as to enable the authorities to bring them to justice." He adds, "I have reason to believe that some prisoners, who were either acquitted or absconded from the Government gaols, are, by joining with some low country Cingalese and desperate Kandians, now disturbing the villagers."

We thus find the Government were aware of the desperate characters above described that were "disturbing the villagers," yet determined to keep quite quiet "until the mob assembled would commit some disturbance, so as to enable the authorities to bring them to justice." This proves that there was a mob, that disturbances were foreseen, and might have been prevented, instead of being connived at and encouraged by impunity. Surely the superintendent of police, his councillors, and their superiors, could not deem it illegal, or arbitrary, or indelicate, "to bring to justice" such persons as the leader of a gang of robbers, who had escaped from justice, or his ally, who had robbed a priest of temple-money, and who were "disturbing the villagers" whom these authorities were bound to protect, instead of abandoning them to the intimidation of "thieves, robbers, and outlaws!"

*However, the disturbance thus wished for, anticipated, and encouraged by the authorities, took place; and, from the Blue Book, some persons can guess, but none can know, the fearful amount of lives sacrificed, and misery inflicted, in consequence of the success of that most extraordinary policy. Those only who know the people and the localities can regret with sufficient intensity, or regard with sufficient abhorrence, the result of so monstrous a system. It is lamentable to see the destruction of life and property it has inflicted; it is humiliating to feel that it was done under British authority, and without apparent necessity. But it excites indignation to observe such conduct avowed in a manner far more exulting than explanatory.*

I have next to consider No. 5. Did not hundreds of persons



fall by the rifle-bullet, or sink below the Malay Cris? and were not eighteen persons tried, convicted, and executed, by tribunals anomalous, unnecessary, and illegal? As I do not suppose the first part of the query will be disputed by any who reads the Blue Book, I shall confine my remarks to the last—to the tribunals called “courts-martial.” These courts in Ceylon took, I believe, the usual oath contained in the articles of war; and, if I am correct in this, I shall remark, that a court-martial, before proceeding to trial, should see that the crime is correctly framed—that is, sufficiently detailed and intelligible. This, judging from the Blue Book returns, was not the case, (p. 258–261.) They should next ascertain that the court is legally constituted, and has lawful jurisdiction in the case placed before them. This, I believe, was not the case; as, for crimes involving, on conviction, the punishment of death or transportation, a *general* court-martial is required, and, in Ceylon, could not consist of less than thirteen members, nine of whom must have concurred, or a capital sentence could not be pronounced. There ought to have been a judge-advocate. The president, if possible, should have been of the rank of a field-officer. The sentence of death, even when passed by a legal court-martial, could not be carried into effect until the proceedings were approved and confirmed by the governor. This was not adhered to. These are a few of the anomalies that present themselves in the constitution and acts of these tribunals styled courts-martial, whose sentences of death and transportation were, according to statute and real martial law, utterly valueless—nullities! The variety given to one of the sentences, by adding, that “after execution, his body to be hanged on a tree in a public place in the neighbourhood of Kurnegalle for four days,” is, therefore, just as correct as the more important antecedent, “that the prisoner be shot to death.” By a real court-martial in such a case, the crime and sentence must be in conformity with the common and statute law of England.

That these courts were unnecessary, is proved by the Supreme Court sitting at the same time as the courts styled courts-martial, at Kurnegalle and Mátalé, the furthest of which places is only twenty-five miles from Kandy, and both communicating with that town by carriage roads. But the object of these courts being established, may well be gathered from the *spirit* of the despatches published in the Blue Book, and from the events of the killing of Kadahapota Unanse. He was tried on the 25th August, shot on the 26th, and the Supreme Court was opened at the same place, viz. Kandy, on the 28th August.

I aver, in common sense and common justice, that those who are made liable to the penalties of martial law, are also entitled to its privileges: if so, the inhabitants of Ceylon were entitled to be tried by a general court-martial, legally constituted, for crimes clearly and distinctly specified, and according to the common and

statute law of England, and cognisable by such a tribunal. The oath which the members of all courts-martial take, leaves, I think, no doubt of what the prisoners had a right to expect, and without which, in my opinion, trials for "high treason" were at best but solemn mockeries.

I propose to inquire in No. 6—Were not the crimes charged against some of the prisoners criminally brief, even in cases where the sentence proved to be death, and execution immediately followed? In reply, I shall quote two cases out of many:—

<ol style="list-style-type: none"> <li>1. Nikolla Punchyrall.</li> <li>2. Mélpitia Appoohamé.</li> <li>3. Alutgamma Banda.</li> <li>4. Allawelle Goda Leortin.</li> </ol>	$\left. \begin{array}{l} \\ \\ \\ \end{array} \right\} \begin{array}{l} \text{Crime,} \\ \text{high} \\ \text{treason.} \end{array}$	$\left\{ \begin{array}{l} \text{Tried at} \\ \text{Mátalé} \\ \text{6th Sept.} \end{array} \right.$	$\left\{ \begin{array}{l} \text{Sentenc-} \\ \text{ed to be} \\ \text{shot to} \\ \text{death.} \end{array} \right.$	$\left\{ \begin{array}{l} \text{Sentence carried} \\ \text{into effect at 11} \\ \text{o'clock, A.M., on} \\ \text{the 7th Sept.}^* \end{array} \right.$
<ol style="list-style-type: none"> <li>1. Barba Arachy.</li> <li>2. Keery Banda.</li> <li>3. Ookwelle Banda.</li> <li>4. Killenova Punchyrall.</li> <li>5. Ookwelle Teartoo.</li> </ol>	$\left. \begin{array}{l} \\ \\ \\ \\ \end{array} \right\} \begin{array}{l} \text{Crime,} \\ \text{High} \\ \text{Treason.} \end{array}$	$\left\{ \begin{array}{l} \text{Tried at} \\ \text{Mátalé} \\ \text{Sept. 14.} \end{array} \right.$	$\left\{ \begin{array}{l} \text{Sentenced to be shot to death.} \\ \text{The Court strongly recom-} \\ \text{mended Ookwelle Teartoo to} \\ \text{mercy, on account of his ex-} \\ \text{treme youth.}^\dagger \end{array} \right.$	

It is not mentioned in the Blue Book what became of this last batch, but I believe four of them were executed next day, and the youth was transported.

At the time of these executions, I have the authority of the Queen's Advocate for saying, "that the attempts to apprehend the chief conspirators had been unsuccessful," and that "the ringleaders in the rebellion had not been taken;" therefore these unfortunate men were neither chief conspirators nor ringleaders in the *rebellion*. The first four above mentioned were shot thirty-nine days, and the last four were shot forty-seven days, after the rabble had been dispersed at Mátalé. Both these groups were tried and executed long after the Supreme Court had been opened at Kandy, which was within seventeen miles of this court of summary record. It is useless to quote more of such cases; but, eleven months after, the Colonial Office could give no more detailed information regarding the above cases, and many others that are in the Blue Book, than what I have above quoted.

I now ask, (No. 7.)—Was not martial law rashly proclaimed without sufficient cause, and long adhered to without conceivable excuse? I think it impossible for any one who knows the place and people, and examines the Blue Book with sufficient caution, to doubt that both these questions must be answered in the affirmative. True, we find "bodies of armed men obstructing the roads," (page 169.) "A strong body of insurgents opened a smart fire;" then came "a continued engagement," in which I remark that none of the British side were killed, or wounded, or hurt—for it was the "smart fire" from the "strong body" that slightly wounded one man—the *only casualty that occurred to the British force in the Kandian country*. Then, in the same despatch,

\* Blue Book, page 260.

† Ibid., page 261.



I find mention of the "town of Mátalé, more properly called Fort M'Dowall," which suffered so much. Now, I think it right to reduce such great expressions to real proportions, and to mention that Fort M'Dowall has been level with the ground for thirty years, and that there is scarcely a village in England that does not contain more substantial buildings than the town of Mátalé. Several hundreds of the Kandians have been killed or wounded—one British soldier has been wounded: this is the true result, put it in what words they may, of the "open rebellion," or riot, whichever it was. I have given, so far as space would admit, my reasons for believing, that for every act committed by the rabble, as well as for every life lost to the country, Government are solely responsible.

I shall now turn to a theme so perseveringly insisted on by the Ceylon authorities—viz., that the rebellion of 1848 was entirely organised by the Buddhist priests and chiefs. In support of this, I find many assertions of which I see no proof, and others, the correctness of which I do not admit. Take, for example, the governor's statement, (p. 297,) that the pretender "does not deny that certain chiefs and priests (who are, indeed, mentioned in his statement,) were active agents in the movement." Who that does not know the people would imagine, from this despatch, that the pretender, in "his statement," only mentions one priest, and none of the chiefs? Such is the case, however.

In a list of upwards of two hundred and twenty names committed or tried in the Kandian country, I only see the names of five priests—and four of these, although I think they were hardly, if not illegally treated, yet, having afterwards the benefit of a deliberate trial, were enabled to prove their innocence.\* The only other priest was Kadahapola Unanse, whom the governor calls "an influential priest" (p. 220) at one time; and, when circumstances alter, I find the same authority says—"If he were a priest at all, he must have been one of a very inferior order." I find in the same despatch,

\* P. 189.—I allude to the resident high-priest of Dambool. He was interrogated by the Deputy Queen's Advocate for the district, in presence of the Honourable the Queen's Advocate, and his answers are called a voluntary statement by the official authorities. When he was thus questioned, I believe he was not warned that his answers might be used against him: but he appears immediately, or soon after, to have been made a prisoner, and tried for high treason, and to have had the answers he made (divested of the questions) produced against him as a voluntary statement! I do not believe that a series of answers, thus extracted from an unsuspecting and unaccused person, could have been offered to the consideration of an English jury as evidence against any one in a case of high treason. In fact, the official document appears a contradiction in terms, when its preamble says it is a "voluntary statement," "made in answer to questions put to him (the high-priest) by the Queen's Advocate," the chief law officer of the crown. But what renders the case of this priest stronger is, that, as high-priest, he has certain civil duties, and authority over a surrounding territory, which is annexed to the temple of Dambool; and he was, in his civil capacity, bound to answer the questions put to him by those authorised by Government. It is most satisfactory to know that this high-priest was acquitted by the jury, with the approbation of the Chief-Justice, although this act of justice is deplored and condemned by some of the official authorities.

as the last quotation, that "statements have been voluntarily made by the chief-priests of the two great Wihares in Kandy, the Malwatté and the Asgiria, which show that the execution of a priest in his yellow dress is not considered in any degree as an indignity offered to the order of the priesthood, or to the Buddhist religion." Now, considering the errors which I have seen in these despatches, I must be excused for withholding my belief in the chief-priests having voluntarily made any such declaration, until I see the exact terms in which the declaration is made, and until I know by whom it was translated; also under what circumstances such *voluntary* declaration was emitted. Then, if the true meaning is according to the despatch, I shall consider the chief-priests of the Malwatte and Asgiria Wihares as utterly unworthy of credit. By the religion of Gautama, "corporeal inflictions cannot defile the pure in spirit," and this great truth may enable those priests, who believe Kadamapola Unanse to be innocent, truly to say, "The man having been shot in his yellow robes is no shame to us." That the chief-priests have given an opinion at all resembling that quoted from the despatch, in clear and unmistakeable language, cannot be easily conceived; nor will it be fully appreciated until, first, the circumstances are known under which they gave any opinion at all on the subject; second, the exact words in which the case was submitted for their opinion; and, third, the exact words of that opinion. From the character which at least one of these priests formerly maintained, I will not believe in his voluntary degradation until I see true copies of original documents, attested by trustworthy copyists.

I shall admit what I believe, and no one need doubt, that the gentlemen who condemned this "influential priest," or "not a priest," had direct evidence to support the queer crime laid to his charge. I, however, know what an amount of perjury might have been expected, under such a system of terror as that established in the Kandian country; and when such an anxiety to convict and punish is shown in the official despatches, I can well guess what danger there was to any one who wore the dress of a priest, and appeared obnoxious to Government. Had the charge been the wilful murder of Julius Cæsar, I doubt not there might have been found from personal enemies, or arrack-begotten Christians, direct evidence to prove the crime; and as it now stands, the accusation against Kadamapola Unanse is scarcely less marvellous and incomprehensible. Whether he was an ordained Buddhist priest or not, could have been ascertained by a delay of half an hour at the time of his trial. But for me it is sufficient that he was tried, convicted and killed, as "an influential Buddhist priest;" his crime being, if I understand it, the aiding in the concealment of the pretender, and administering unlawful oaths—these being done about the 17th August, whereas on the 29th July the rabble had entirely dispersed; and from that time King David had been



a proscribed and hopeless fugitive, whose schemes of plunder had utterly failed. He was, moreover, a man of low caste, and from the maritime provinces; also a nominal Christian and a real robber; whose brother, Denis, had in the neighbourhood, and but a short time before, robbed a Buddhist priest of the money collected for the repairs of a temple!

In regard to this priest, the governor has been accused of saying, "that if all the judges and proctors in Ceylon were to say that the man was innocent, he should nevertheless be executed the next day." I think it of little import whether he said so or not, when any one can see from the despatches what were his feelings with regard to the unfortunate Kandians. This priest, says the governor, "was shot in full robes at Kandy." This surely implies that the priest had some other dress—at all events that the governor believed he had. This I also believe. But I have no doubt that, if permitted, hundreds would have supplied the priest with the dress of a layman, rather than have the sacred robe insulted.

Such is the case developed against the Buddhist priests, when examined by the facts that may be gleaned from the Blue Book, and which so clearly disprove the continued and official assertions against that body, which the work contains. I shall conclude the subject of the Buddhist priests by quoting the opinion of them formed by a most intelligent and able public servant, who for a very long period had opportunities of forming his judgment, superior to those of any other European in Ceylon. He says, I have had, "from my official position, almost daily intercourse with the heads of the Buddhistical church;" and again, "Nothing can exceed the good taste, the unreserved communicativeness, and even the tact, evinced by the heads of the Buddhistical church in Ceylon, in their intercourse with Europeans, as long as they are treated with the courtesy that is due to them."\*

With regard to the chiefs, I see no proof that any of the superior and influential chiefs are implicated; but I cannot help noticing the statement, that "Golahella Rattamahatmea and Dulawe Dewi Nilamé, could without any difficulty have seized the pretender, or at all events have held a check over his party." I do not admit this. But I have no doubt that it was the duty of their superiors, the British authorities, who possess *all the real power*, to have caused the pretender and his gang to be seized: but this I have shown they neither attempted nor *intended* to do. On the contrary, they resolved to "keep quite quiet until the assembled mob committed some disturbance." The admission of what Golahella and Dulawe ought to have done is important, as showing that those who had the power knew what was right, but did not choose to perform that duty which they now accuse the chiefs of

\* *Introduction to the Mahawanso.* Quarto, 1837. By the Hon. George Turnour.

neglecting. Judging from the way the chiefs and priests have been lately treated, I cannot expect that they are satisfied. But whatever may be asserted, I gather from the Blue Book that they were too well informed to have anything to do with, or be compromised in the disturbances got up, with the knowledge of Government, by "thieves, robbers, and outlaws."

At the same time that these vagabonds were allowed to mature their projects, and nearly at the same time as the obnoxious taxing ordinances were promulgated, a minute series of statistical particulars were called for. This naturally, I may say justly, excited strong suspicions that these returns were intended as a prelude to more taxes; for, owing to the manner in which the Kandians had been treated in regard to their religion and Raja-Karia, and the statements made to them on the subjects of the gun and road ordinances, they could not be expected to give credit to the disclaimer of the Government agent, (p. 143.)

By the road ordinance, as it is called, I find the compulsory gratuitous labour of the people may be employed in restoring or repairing tanks. The arguments on which the introduction of this alteration of the ordinance was supported, in the Legislative Council, are curious. They related to tanks constructed in Rajasthan, a country which I know to be in every way different from Ceylon. Indeed, information equally applicable might, I think, be derived from the details of Sir John Herschel's discoveries, as recorded in some American newspapers; and the travellers who visit the moon through Lord Rosse's "tubular way," may be quoted with equal advantage, in the next experiment to be made, on the persons and properties of our Cingalese fellow-subjects.

Twenty years ago inquiries were made—not at Rajpootana, but in the Nuwarakalawia district of Ceylon—of the extent of the remaining embankments of some of the principal tanks which are now burst and useless; of the extent of repairs required, with estimates of the expense of repairing them: the quantity of water they would contain if restored, and the extent of ground which that water would cover; from whence the supply was derived; the extent of land capable of being irrigated by each tank, when restored; in whom the property of that land is vested; the sanitary state of the neighbourhood; the amount of population within a given space around; whether the population would be sufficient to preserve the embankments, if restored; and, particularly, whether there was not abundance of land, with a supply of water for irrigation, and only requiring cultivators. These, and many other points, were then ascertained, being considered of essential consequence before entering into the consideration of the restoration of the tanks. Now, I presume, they are considered a waste of time; as, judging from the report of a long discussion in the Legislative Council, none of these, nor any other points of actual infor-



mation, are necessary, before disposing of the compulsory labour to be exacted from the inhabitants of Ceylon.

The successful experiment, once made, of gradually restoring tanks without any immediate outlay, seems now unknown, or is deemed unworthy of notice. Yet, considering the great and numerous changes already introduced into the Kandian country, forcing on prematurely and rashly, to objects which, if kept steadily in view, would in due time be reached in safety, is the worst possible policy for Ceylon. It is a vain attempt to rule and legislate, in ignorance or defiance of the rights, habits, and feelings of the Cingalese. A reign of terror may produce apparent submission ; but well-founded distrust must now, for long, take the place of honest confidence in their British rulers. Although native institutions, until investigated and understood, appear intricate ; yet I believe these institutions must be the groundwork of social improvement, as well as of the present comfort and prosperity of the native communities. What has been already accomplished, shows that the country may be crammed with officials, and yet the inhabitants be left without redress for innumerable small matters, of great importance however in the arrangement of rice cultivation, and other points of village details, which can only be settled on the spot ; and which might be so done with great benefit to the Government and the people. But I have not left myself space for the consideration of measures which I consider necessary for the well-being of all classes in Ceylon, and which have been too long delayed.

I think it necessary here to notice a fallacy deliberately advanced and officially promulgated, that the natives had benefited remarkably by the establishment of coffee plantations. At least I consider it a fallacy so far as the Kandian country is concerned, and since coffee planting was extended over the country—for cutting down so much forest has had an injurious effect on the springs and streams on which rice cultivation, in the neighbourhood of the coffee region, depends. Then their pasture lands have been abridged to a grievous extent, and they have suffered much from being liable to damages for the trespasses of their cattle into coffee gardens. I also perceive, from statements by the Governor and Colonial Secretary, that, besides unavoidable causes of irritation, there were in some cases good reason for the Kandians to feel annoyed by the misconduct of their more powerful neighbours.

I have not overlooked, although I have not hitherto noticed, the proclamation (p. 221,) which announced that "The lands and property of all persons who shall, after this 18th day of August 1848, be found to have been absent from their ordinary places of residence during the last twenty days, without giving a satisfactory account of themselves, will be declared forfeited, and confiscated to the Crown." Now for these twenty days before, and for more than fifty days after this proclamation, the people were liable

to military execution. Those who know the country will, I think, under these circumstances, consider that to have remained in their houses, or returned to them, would not have proved the innocence, but would have shown the ignorance of their inhabitants. However, when life and liberty are once more secure, it will be time enough then to denounce this act of intended spoliation; and to advocate the rights of property for the Kandian people. It is a remarkable fact that a member of the Council of India, who is *now* found to be also a *coffee-planter* or proprietor at Mátalé, in the Kandian country, presided at a meeting at Kandy, which seems to have had for its object the encouraging the Governor in the proceedings which I so strongly condemn: this was on the 14th August, (p. 207.) On that *sameday*, and from *the same* place, is dated the letter from the Colonial Secretary (p. 200) to the Governor, recommending that Malabars (the class who labour on the coffee estates, and come from the continent of India) should be located at Kurnegalle and Mátalé, on the lands *to be* forfeited by the rebels. And on the 18th August, and dated also at Kandy, appears the previous proclamation, (p. 221,) of which I have just given a specimen—and which would, if they dared, have made room for the filthy, but, to Europeans, useful race of Malabar labourers. Moreover, I see that, the Queen's Advocate having denied the advising of this proclamation, the member of the Indian Council, and Ceylon coffee estate proprietor, is now accused of having counselled what the responsible adviser disclaims.\*

I have confined myself generally to the case of the Kandian Cingalese, as the Europeans in Ceylon have more able advocates, and can take better care of their own interests. But I must remark that, however correct in principle, in place of remitting the moderate export duty on coffee, in the face of a deficient revenue, it would have been far more advantageous to the coffee planter, and to the poor of Great Britain, to have called for justice upon those who are checking the consumption of coffee by its adulteration. I say the poor, for the rich purchase their coffee unground, and this renders it impossible fraudulently "to improve their coffee by an admixture of chicory," as an aristocratic grocer might politely express the act of adulterating the food of the people, and defrauding the purchaser, as well as the revenue of the country, by selling burnt roots and other rubbish at the price of coffee.†

As my object is to procure justice to the victim, not punishment for the oppressor, I have no wish, in my remarks, to press hard upon absent individuals. But from the niggardly supply of facts, and superabundance of unproved and disproved assertions, there is an appearance which begets a dread—I hope it is fallacious—that the

\* Lord Torrington to Lord Grey, 11th April 1849.

† *Vide* Trial on 16th November, 1849, for adulterating the usual adulteration of coffee, which the judge pronounced "a scandalous fraud."



victims are still to suffer, that the oppressors may seem innocent. I think, however, that all readers will agree, that enough has transpired with regard to the treatment of the Kandians, to render a *real* inquiry necessary—an inquiry where the accusers, not those accused or implicated, are to be the witnesses. I would ask, how many of those persons examined regarding Ceylon grievances were committed by their previous support of Ceylon measures, which were and are complained against by the natives? How many more are interested directly or indirectly in the maintenance, though they may have opposed the infliction, of compulsory gratuitous labour under its present form, and with its present penalties? Are the witnesses still to be examined to be selected from the accused or the accusers?—those who gain, or those who are to suffer by obnoxious ordinances?—those who are accused of inflicting illegal penalties, or those who endured them? Those who wished that cases of confiscation, transportation, and death, should be inquired into without delay!—have they succeeded? Have the public no reason to dread an unsatisfactory answer to these questions, and to fear that DELAY, which has so often befriended INJUSTICE in the East, will once more open its gates for the escape of the accused?—whilst the portals will thereafter be defended against IMPARTIAL JUSTICE, by the cunning fence and powerful force of PREVIOUS QUESTION; backed by the ill-defined, awful bugbear IMPOLITIC INTERFERENCE; eventually supported, if necessary, by TIME ELAPSED. Then it would remain for the unpurchased page of history to note, and for the Judge of All to avenge, deeds that these powers of darkness have obscured from the sight of JUSTICE.

Before I conclude, let me call to mind the deliberate trials that preceded the conviction, and the mercy that was afterwards extended by her Majesty, to the educated leaders of undoubted and premeditated rebellion in Ireland; and contrast these measures of unimpassioned justice with the extreme severity, the hasty trials, and numerous capital punishments inflicted on the comparatively, if not totally, innocent subjects of her Majesty in the Kandian provinces of Ceylon. If their treatment is to be approved, or remains confirmed, who can hereafter say that equal justice is done to British subjects far and near, dark and fair—to the timid Cingalese and to the loud-tongued Celt?

It will be seen that it is almost exclusively on official statements, but judged by my own experience, not their assertions, that I condemn those acts of reckless energy, which may have sprung from ignorance, but certainly expanded into cruelty—whilst the representative of Majesty lamented the necessity of mercy, and grieved over the acquittal of the innocent; and, defying the righteous verdict of an honest jury, and the opinions of a British judge, and despite the great age, high rank, sacred position, and unsullied

character of an intended victim, proclaimed him guilty, whom law and justice had alike absolved.

It must be a consolation to the Chief Justice to feel that, but for him, a *broader* stain had fallen on the British name: a blacker cannot rest on Christians than that of blood, if it shall be proved to have been unnecessarily and recklessly shed.

Let others claim from willing listeners sympathy with those accused—I would willingly accord them justice, and even impunity, but only on condition that justice should be done, and mercy, if necessary, be shown to the surviving victims of misgovernment. I sympathise with hitherto peaceful villagers; with women and children driven by a rule of terror from their homes, to lie or to die in dense jungles; to bring forth, to nurse their infant children, or to weep over their remains, amidst myriads of land leeches, whilst the howl of assembling jackals announced that the bloated-up corpse of the husband and father was to find a living tomb in the foul-feeding animals of the Mátalé forest.

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## CEYLON.

### MARTIAL LAW.

REGARDING THE PROCLAMATION AND EXECUTION OF MARTIAL LAW IN CEYLON  
IN 1848.

Some persons have asserted that a martial law now exists distinct from statute martial law; and this last they call military law, or the military code. Therefore the former, which they call martial law, I may fairly, and for better distinction, call non-military martial law; and this it is, they say, that was proclaimed in Ceylon in 1848. They admit it is not a written law; and it cannot be denied that it has no acknowledged courts, or other legal means of enforcing its authority: therefore, deeds done under it are but acts of despotism, whose authors can only plead necessity for excuse, and must rest on the extent of that necessity for justification and impunity. The question naturally arises, from such a position—How can that be called a law which has no acknowledged or legitimate means of punishing those who resist its power, or of protecting those who obey its orders? I would suggest, in answer, that, if non-military martial law exists, it is but as a phrase, a fiction, which might more properly be called a nonentity.

I shall here refer to a few of the many authorities which, directly or indirectly, proclaim the extinction of non-military martial law; and prove that martial law, established by statute, is the only martial law now recognised. The Petition of Right enacts that no commission shall issue to proceed according to martial law.\* When Coke and Hale wrote, though regular troops had been frequently raised in times of war, and subjected to martial law, yet the keeping them embodied within the kingdom, in times of peace, and making, not only the soldiery, but other subjects of the realm, liable to martial law, at the will of the crown, was an illegal extension of the prerogative exercised by preceding monarchs previous to the Restoration, and which, in the reign of Charles I., alarmed the other branches of the legislature, and occasioned that opposition which brought about the statute called the Petition of Rights."†

I shall now quote from the opinion of Lord Loughborough, when Chief Justice of the Common Pleas:—"Martial law, such as it is described by Hale, such also as it is marked by Mr Justice Blackstone, does not exist in England at all. Where martial law is established and prevails in any country,‡ it is of a totally different nature from that which is inaccurately called martial law,§ merely because the decision is by a court-martial, but which bears no affinity to that which was formerly attempted to be exercised in this kingdom; which was contrary to the constitution, and which has been for a century totally exploded."

On the same trial, the counsel|| for the defendant (the then Judge-Advocate) "did not dispute that martial law can only be exercised in this country so far as it is authorised by the Mutiny Act and Articles of War."¶

"By the declaration of martial law, the specific jurisdiction of courts-martial is extended to persons ordinarily subject to the civil power."\*\*\*—"Courts-martial are as strictly derived from, and form part and parcel of the law of England, as any courts depending on statute can be."††

Tytler, in his Essay on Military Law, uses this expression and martial law as synonymous.‡‡ He says, "The foundation of the

\* "In England, though, by the constitution of that kingdom, no person could be subject to any punishment by martial law, yet, when it was necessary to keep up a body of regular troops for the public security and defence, an act was made, 1 Will. and Mary, c. 5, entitled "For punishing mutiny and desertion," &c., &c.—Erskine's Institutes, with Notes by James Ivory, advocate, (now Lord Ivory,) 1828.

† Adaye on Courts-Martial.

‡ That is what I have called non-military martial law.

§ This is statute martial law, which some men would call military law only.

|| Serjeants Adair and Bond.

¶ Reports of Cases in the Court of Common Pleas, by H. Blackstone, vii. Third edition, p. 98; Grant v. Sir C. Gould.

\*\*\* Simmons on Courts-Martial. Third edition, 1843, p. 7.

†† Simmons, p. 4.

‡‡ Martial law is that branch of the laws of war which respects military discipline,



military or martial law is that which is common to all law whatever;"—and this particularly appears in Chap. XI., in which he treats "Of the extension of martial law in times of danger to the state."\*

"The proclamation of martial law renders every man liable to be treated as a soldier;"† and "whenever martial law is proclaimed, all crimes would be triable by a *general* court-martial."‡  
 "A proper distinction, then, should be made between martial law, as formerly executed, entirely at the discretion of the crown, and unbounded in its authority, either as to persons or crimes, and martial law, as at present established, with regard to both. Courts-martial are at present held by the same authority as the other courts of judicature of the kingdom."§

Whatever has been asserted of martial law, I do not find any one who maintains that courts-martial are known, or can exist, but in accordance with the Mutiny Act. Formerly, courts-martial derived their authority from the crown; now the crown is empowered by statute to grant commissions for holding courts-martial. But the statute fixes the constitution and duties of these courts,|| and the crown has no power to alter them. In 1798, the Lord-Lieutenant of Ireland, in consequence of a protracted rebellion, was authorised by an *Act of Parliament* to alter the constitution of courts-martial—viz., he was empowered "to assemble and constitute courts-martial in such manner as he should direct," and to authorise "the execution of the sentences, (of such courts,) whether of death or otherwise." "This statute is the most positive declaration that, when the common law can be exercised in some parts of the country, martial law cannot be established in others, though rebellion actually prevails in these others, without an extraordinary interposition of the supreme legislative authority itself."¶

The employment of courts-martial, even when constituted according to statute, and for the trial of military prisoners, if accused of high treason, is only permitted where there is no supreme court. Let us, therefore, suppose the case of a British soldier in the Kandian country, in August or September 1848, accused of high treason. I deny that, in defiance of statute martial law, he could have been legally tried by a court-martial consisting of fewer than thirteen officers, and a judge-advocate.\*\* And

or the government and control of persons employed in the operations, or for the purposes of war."—Bell's Dictionary of the Law of Scotland, 1838.

\* Essay on Military Law, by Tytler, Judge-Advocate-Depute, (afterwards Lord Woodhouselee,) 1800.

† Lord Brougham, in the debates, (regarding the trial of Missionary Smith,) 1824.

‡ Hough on Military Law, edited, with Notes, by Long, barrister, 1825.

§ Adaye on Courts-Martial.

|| Mutiny Act; Articles of War; Simmons, p. 50.

¶ Sir James M'Intosh's speech in case of Missionary Smith, 1824.

\*\* Mutiny Act, sec. 7; Simmons, pp. 50, 178, 183. The court-martial held on Mr John Smith, under martial law, at Demerara, in 1823, consisted of fifteen officers and a judge-advocate.



I assert that the crime must have been clearly defined, and the acts distinctly and accurately specified.\* If found guilty, a capital sentence could not have been passed without the assent of at least nine of the thirteen members.† That sentence, moreover, to be legal, must have been in conformity to the common and statute law of England.‡ The proceedings of the court,§ signed by the president, and countersigned by the judge-advocate,|| should then have been submitted for the approval of that authority to whom alone the law delegates the power of confirming¶ and directing the execution of a capital sentence, or of extending mercy, when expedient, in those cases where specific punishments are attached to certain crimes.\*\*

Under martial law, whether a court-martial were assembled for the trial of a British soldier or of a native Cingalese, to be legal, it must have been constituted and conducted†† according to the clear and express enactment by which courts-martial alone exist, and by which they are established as part of the British law. The acceptance or assumption of the title of court-martial, and the semblance of performing the duties of such a court by an insufficient number of members,‡‡ cannot give their acts any validity: a sentence passed by them would be a nullity.§§ If that sentence were death, and it were carried into execution, what is to be done? If it were transportation, the immediate release and restoration of the victims to their native land would be the first step towards justice.

As members of a real court-martial are individually and col-

\* Simmons, p. 162-216

“The court should refuse to receive the charges if they are not specific.”—*Sir Charles Napier*.

“It is the undoubted right, and even the duty, of every president and member of a court-martial to reject any illegal or erroneous charge.”

“It is the duty of the judge-advocate to remonstrate against the court proceeding to trial on a charge deficient in accuracy or perspicuity.”—*Bengal Military Regulations*.

† Mutiny Act, sec. 20; Articles of War, sec. 116.

‡ Articles of War, sec. 130, p. 63; Simmons, p. 399.

§ Even if the accused pleaded guilty, a legal court-martial was bound to hear and record the whole of the evidence, as if such plea had not been made. This is to enable the confirming authority to judge, not only of the crime, but of the circumstances under which it was committed.

|| Simmons on Courts-Martial, p. 215.

¶ An irregularity in the confirming power was the cause of Mark Porrit being released by the supreme court at Bombay in 1843, although he had been regularly convicted and sentenced to transportation by a general court-martial.

\*\* Instructions to Governors of Colonies, published in her Majesty's Rules and Regulations, p. 388, sec. 8.

†† To those who have not examined the subject of martial law, it may not be unnecessary to point out that a detachment court-martial, with powers of a general court-martial, can only be convened out of her Majesty's dominions, and therefore need not be farther noticed in the present case.

‡‡ Under martial law at Demerara, in 1823, Mr John Smith, missionary, was tried by a court-martial consisting of fifteen members, and attended by a judge-advocate.

§§ Simmons, p. 394; 3d edition, 1843.

lectively responsible, and personally liable,\* as well for any illegality in their proceedings as in the extent of their jurisdiction, they have a right to inquire, and it is their duty to ascertain, that the court is legally assembled; that, from its constitution, they (the members) are competent to try the crime laid before them; and that the charges are distinctly specified, and according to law.† Such, I believe, is real martial law as administered by real courts-martial; but I have yet to learn what non-military martial law is, and by what means its courts in Ceylon became possessed of the tremendous power which they appear so unsparingly to have exercised on the devoted inhabitants of the Kandian provinces.

In the case of Ceylon in 1848—supposing, for the sake of argument, and contrary to my opinion, the legal existence of non-military martial law was admitted, and that it and its courts were established in the Kandian provinces—there would still have to be explained why none but military men were employed under non-military martial law and its courts; why those persons were set aside, and scouted, who were best able to judge the value of native testimony—viz., judges and magistrates, whose ordinary duties were suspended, and their services available; whilst, if martial law had been really necessary, military officers would have been otherwise occupied than sitting permanently on such courts, at the same time with and in the neighbourhood of the supreme court, and so near the military headquarters of the interior of Ceylon as the stations of Matalé and Kurnegalle. Another question arises—viz., Why was the oath appointed for real martial law, and only applicable to it, taken by those who were to administer non-military martial law?—which appears, by its proceedings, to be entirely at variance with the provisions of statute martial law, the oath in which binds the members of courts-martial to administer justice “according to the act of parliament now in force,”—i.e. the Mutiny Act. I believe it is universally admitted that the proclamation and establishment of martial law can only be justified by necessity, arising from the certainty, or extreme probability, that the civil power, *supported by the military*, will be insufficient to prevent or repress dangerous disturbances. The reason of resorting to real martial law, when life and property can no longer be preserved safe by the civil and military power acting in subordination to the ordinary laws and courts of justice, is, that although a rigorous, it is a known law, with tribunals established and constituted by statute. Moreover, it is a law which has been found sufficient to retain in obedience the largest bodies of armed military men, under every privation and in all circumstances, and therefore, it is to be pre-

\* “Members of courts-martial are collectively and individually responsible to the supreme courts of civil judicature, not only for abuse of power, but for any illegal proceedings.”—Simmons on Courts-Martial, 1843; 3d edition, p. 176.

† Simmons, 162-216.

sumed, would be effectual to preserve or restore order, when the executive power is supported by the military force against unarmed or undisciplined bodies of people. But if martial law is proclaimed, its provisions must be adhered to, by giving those rendered liable to its severity, without their own consent, the same privileges as are decreed to offenders amongst those (the military) who voluntarily submit themselves to this stringent code. To use the words of Lord Brougham, "The proclamation of martial law renders every man liable to be treated as a soldier."\* To treat them worse is manifestly unjust. That distinguished advocate of liberty and humanity at the same time denied that "distance or climate made any difference in an outrage upon law or justice;" and I may express a hope that neither distance, nor other impediments more to be dreaded, may protect injustice, or screen any who may have used unnecessary violence, or illegally renounced the inalienable prerogative of mercy.

I can imagine that a possible emergency might arise, where even martial law would be insufficient to preserve order and protect life: it would then be the duty of those possessing authority to resort to any means in their power, that might be imperatively called for, to insure the preservation of those placed under their rule and entitled to their protection. But if it is admitted that the proclamation of martial law,—that is,† "the extension of martial law, in times of danger, to the state"—can only be justified by the necessity of the case,† it follows, that severities beyond what martial law sanctions, and the employment of arbitrary courts, differently constituted from any established by statute, or acknowledged by either civil or military law, must be regarded with much greater jealousy than the enforcement of real martial law, and will require for justification the proof of a far more urgent necessity.

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## HISTORICAL REMARKS.

The unbiassed reader, who may know Ceylon, will, I trust, agree with me in the view I have taken of recent proceedings in the Kandian country. Those who do not know that colony, will, I hope, read what follows, before they condemn what they may not approve in the preceding remarks. An outline of the history,

\* Debates in Parliament, in 1824, regarding the trial, by court-martial, of Mr John Smith, missionary.

† Tytler, (Lord Woodhouselee), in chapter xi., says—"It is a remedy warranted only by the last necessity, and therefore to be commensurate in the endurance of its operation to the immediate season of extreme danger."



religion, and antiquities of this ancient and lately independent people, will, I think, support the opinions I have expressed. An account of their native institutions would be still more in their favour. The former I shall attempt; for the latter I have no space, and readers, I am afraid, no inclination.

On the wide and wondrous extent of Britain's colonies the sun never sets; nor ever shines on a fairer portion, and more fertile region, than the remnant of Lanka, the holy land of Hindus—"the utmost Indian isle, Taprobane," of Milton—the paradise of Eastern Mahommedans, and English grocers—Ceylon.

I now propose to give a sketch of its history, from the days of the deified Rama, up to the Reign of Terror (p. 218) and the rule of Torrington; and although the period is not less than three thousand, and may be four thousand years, I shall endeavour to be brief, and hope to avoid being tiresome.

The superficial area of Ceylon is about twenty-five thousand square miles; and its population may be taken, in round numbers, at a million and a half. Notwithstanding its geographical position, within ten degrees of the equator, its climate is wonderfully moderated by sea-breezes, and the vapour attracted by mountains that rise more than eight thousand feet above the level of the sea. These are clothed, to their summits, with primeval forests and a luxuriant vegetation, which, being exempt from the rage of tempest and the sternness of winter, barely acknowledge, in their greatest change, the hue of early autumn.

At an elevation between six and seven thousand feet, are plains where the climate is congenial to European constitutions; but there the soil is inert, and the natural productions, even the grasses, are all but valueless. On the slope of these mountains is a soil well suited to coffee cultivation; and here, although with a higher temperature, the European residents find a clearer sky, and a climate more agreeable for a general residence, than in the cool, but damp and cloudy, atmosphere of the highest plains. The production of coffee in Ceylon has increased, in fifteen years, from an inconsiderable amount, until it is now sufficient to supply the whole consumption of Great Britain—it may soon be more than sufficient, if British revenue and colonial enterprise are to be sacrificed, and fraudulent cupidity is to be fostered by executive protection to the adulteration of coffee, as at present practised in England on that safest stimulant to the toil-exhausted frame of the labouring poor.

Cinnamon grows on the mountains, and may be found in many of the forests, where it attains the height of a moderate-sized tree; but in that state it is useless in commerce. The finest quality is that which is produced in the greatest quantity in the artificial plantations called cinnamon-gardens, situated near the coasts of the south and south-west parts of the island. It is nearly in these



same localities that another of the most valuable vegetable productions of Ceylon, viz., the cocoa-nut tree, grows in the utmost luxuriance, and produces in the greatest abundance.

The true position and character of the Cingalese of the present day cannot be clearly understood, nor fairly judged, without some knowledge of their former history and religion. Indeed, to obtain an accurate idea of the state of Ceylon at present, it is necessary to commence at the earliest period, even that of the gods. But we shall not linger there, endeavouring to pick up events which are only to be found imbedded in fable, and obscured by mythology; where the actors are described as superhuman, and their history is preserved in such questionable records as the epic poetry of the Brahman, or the Cingalese legend of Rawena.

In those days the island was called, as it now is by Hindoos, Lanka, and the Cingalese chroniclers admit, that from the era of Rama, until the appearance of Gautama Buddha, a period of 1844 years had elapsed; and, during that time, they have neither record nor tradition of the state of the island, nor the condition of its inhabitants. These authorities agree in stating, that the wickedness and impiety of the king, Rawena, and the race which then peopled Ceylon, wrought his destruction, and brought a fearful judgment on their country.

From the date already given, it appears that this occurred B.C. 2387, or less than forty years from the date assigned to the Flood in Usher's *Chronology*. It was then, say the Cingalese records, that the waves of ocean overwhelmed the richest and most extensive provinces, as well as the capital of the island, Sri-Lanka-Poora; and, since then, its resplendent palaces, stately towers, seven concentric walls, and brazen battlements, are "known but to genii of the deep." Indian devotees, however, assert that the effulgence of the sunken capital of Lanka gleams through the depth of waters, flashes in the western sky, and is occasionally manifested to the Hindu pilgrim who wanders in the solitudes, and gazes from the consecrated mountains of his holy land. Lanka is sacred to the Hindoos as the place where their god of riches reigned, their god of war was nurtured, and where Vishnu himself, in the form of Rama, fought and conquered.

Although I have promised to be brief, I cannot omit all mention of the earliest and most universally known of Hindoo romances, which a hundred millions of people, that live under British sway, or are subservient to British policy, receive as a sacred history. Rawena, king of southern India and Ceylon, stimulated by injuries, and bent on revenge, contrived by violence, but in secrecy, to carry off Seeta, the beauteous wife of Rama, prince of Oude; and conveyed her to the central forest wilderness of his island kingdom. The place of her captivity was at length discovered; and years of war and endless adventures, described in

the sacred poetry of the Hindoos, were terminated by the recovery of the chaste, faithful, and thenceforth deified Seeta. Her purity and constancy being then established by her own assertion, confirmed by her solemn oath, and finally proved by a satisfactory miracle, has, from that time, during thousands of years, remained as unquestioned as her beauty.

Many readers may take but little interest in the victories of a demi-god, or the chastity of a real goddess—in the death of the tyrant Rawena, or the destruction of his capital; but, for the information of chess-players, I give the tradition, that it was during the long and wearisome siege of Lanka that Rawena's queen invented that first of games,—first in priority of invention, and pre-eminent in combining the exertion of intellect, with the main purpose of securing an absorbing interest in a temporary amusement. Even now, in the English names, as well as in the forms of the pieces on the chess-board, we can trace their Indian origin and Sanscrit nomenclature.

I now pass from the date of the flood and the submersion of Lanka, to the visits it received from Gautama Buddha, the great moral teacher of the sixth century before the Christian era. These visits were made in the thirty-first, forty-second, and forty-sixth years of his age—the last being B.C. 577; and although unable to eradicate the superstitions which he denounced, this Buddha was successful in establishing his moral system over the rulers of the country, and the great majority of its inhabitants.

It is necessary to describe the various forms of false worship which then prevailed in Ceylon, because even now they taint, in many natives, all the religions of purer morality that have been introduced into the island. Before the ministration of Gautama, the sacrifices and ceremonies of demon-worship were openly practised; afterwards, for some hundred years, they were permitted by various sovereigns; and ever since, and even now, they prevail to a wonderful extent, alike amongst those who call themselves Christians, or those who are considered as orthodox Buddhists.

First, of the superstitions that existed in Ceylon, when it was visited by Gautama Buddha, I shall class the worship of Eiswara, Vishnu, and some other deities, either adopted or invented by the Hindoos. This is still maintained, but with no great zeal, unless when the ravages of small-pox induce the people to seek refuge from their fears, in the fancied protection of the goddess Patine, the Indian Durga.

Nor was the Naga, (hooded snake,) the king of the serpent tribe, without votaries in a land which abounded in all the worst varieties of his race. It is from existing remnants of this superstition that the hooded snake is still regarded with a reverence which sufficiently protects it from the vengeance of the Cingalese, and even secures it against the enmity which man naturally feels to such a

subtle and deadly enemy. Not only the good intentions and goodwill of this snake towards man are insisted on by the natives, but they are ingenious in finding excuses for the venomous brute, whose philanthropy has been disproved by the effects of its deadly bite.

Offerings were also made to ancestors, and to propitiate the spirits of those who, in this life, had been objects of reverence in their own limited circle, and were, by the inhabitants of that locality, expected to acquire power in some higher state of transmigration.

As it was then, so it is now, in regard to the sacrifices offered, and ceremonies performed, in order to propitiate demons,—only, amongst those who profess Christianity, considerable pains are taken to conceal the unhallowed rites which they secretly practise. When there were no historical records, tradition seems to have degraded the unsuccessful warrior into a demon, and exalted his more powerful or more fortunate opponent to be a demigod. To this process the Cingalese owe some of the names on their list of spirits, that possess a limited power over mankind, which they are only withheld from using injuriously, or tempted to exert with beneficence, when they are counteracted by superior influence, or propitiated by satisfactory offerings. Besides these historical demons, under various names and many forms, all occult causes of sudden death or violent sickness are embodied; and the various diseases of a forest-covered country and tropical climate, are personified in some of the evil spirits of Cingalese demonology. There are demons who haunt the cemeteries; also demons of the forest, that revel in the attractive but unwholesome fragrance of certain forest blossoms; and others that lure the bewildered traveller to the jungle labyrinths. Nor are the waters of Ceylon free of malevolent spirits; for there is the river-king, that whelms by sudden torrents the incautious pilgrim, and fiends that lead the stealthy alligator to his sleeping victim.

In some degree connected with demonolatry, and the ceremonies of the sorcerer and exorcist, in Ceylon, is the Báli, or planetary worship; the earliest, and probably the most general, of all the various forms of superstition. The remains of this worship, of its sacrifices, its ceremonies, and its sanctuaries, may yet be traced in our own "Islands of the West" as well as in Ceylon and southern India. On the elevated lands of the Dekan may still be seen in abundance, sacred places, encircled by upright stones, with stones for divination, and cromlechs, or stone altars, as in Britain. Within these temples of superstition, although a goat is sometimes offered, yet a red cock is now considered by the Maharatta cultivator, as it was with English witches, the most acceptable of animal sacrifices. The daub of red ochre to be seen on the inner face of each stone is probably typical, and substituted for blood by



votaries who are too poor to possess, or too economical to bestow, the legitimate victim required for a malevolent spirit, or the controlling planet. The false worship that was denounced in the land of Uz, and in the days of Job, is still practised by the Khond of the Indian peninsula, who does not fail to do reverence to "the sun when it shines; or the moon walking in brightness."

Buddhism in Ceylon dates from the days of that great benefactor of India, Gautama Buddha. He was born in that part of India now called Bahar, B. C. 623, and received the name of Siddharta. His father was Suddhódana, a branch from the ancient royal race of the country of Maghada, over a portion of which he was the king. At the age of sixteen Prince Siddharta was married, and thirteen years after his princess brought him a son. The same day that this son was born, the future Buddha left his palace, forsook his family, and retired to the wilderness of Oorawella, where he continued for six years, leading a life of severe mortification and profound meditation. After long fasting, having finally overcome Marya and his legion of demons, (*i. e.* deadly sins and evil passions,) the ascetic prince became a Buddha, and assumed the name of Gautama.

Gautama Buddha, commencing at Benares, continued to promulgate his doctrine, and to extend its influence, by visiting many countries; and in this way three times he continued his progress to Ceylon. In these visits the sites of the principal edifices at the ancient capital of the island, Anuradhapoora, and various other places, hallowed by his presence, were afterwards consecrated to his memory by wondrous and enduring monuments. Without other defence than his yellow robe, with no external aid—by persuasion, not compulsion—he extended his religion over a great part of the human race. After a short illness, he closed a life of peaceful exertion and pure benevolence in the eighty-first year of his age, and forty-five years after assuming the name of Gautama and the position of a Buddha. The son born to Prince Siddharta, on the day that he renounced the dignity of a prince and the allurements of a palace, was named Rahulu. He, following the example of his father, abandoned the position to which he was born, and forfeited all worldly advantages to adopt the yellow robe, with the self-denying ordinances of the Buddhist priesthood. Into this body he entered and continued till his death.

Before I commence a summary of the religion of Gautama Buddha, I must disconnect its pure morality from the foul superstitions and false forms of worship that Gautama superseded, but could not entirely subdue. Though innumerable converts yielded to the force of pure morality, yet they could not be persuaded entirely to relinquish their former superstitions, which, rather than forego altogether, they incorporated with their new faith. The following beautiful illustration, and distinct repudiation of the

power of gods, demons, idols, and emblems, is an undisputed dogma of orthodox Buddhism, as restored and revealed by Gautama:—"There were ages when mankind, ignorant of the religion of the Buddhas, went in pursuit of vanities, and, like those who seek refreshment from the illusive waters of a scorching atmosphere, or expect fire from the light of the glow-worm, addressed themselves to the worship of Vishnu, Iswara, and other gods; and ascribed to trees and rocks, stocks and stones, the power of protecting and rewarding their votaries. Thus did they foolishly expect to insure protection and happiness by errors for which severe torments were surely destined."

Gautama denounced propitiatory ceremonies to demons as useless, and the sacrifice of aught having life as absolutely sinful. His first and comprehensive injunction he declared to be sufficient, not only to prevent their malice, but to destroy their power. It is this:—"Abstain from all sin; practise virtue, and repress all evil thoughts by pious meditation and listening to moral instruction." Buddhism is no more responsible for the demonolatri of Ceylon than is Christianity for the host of English elves, imps, and devils, on whose account (at no very distant period) hundreds or thousands of innocent persons were cruelly sacrificed. This, too, in Great Britain, whilst their fellow-subjects were stimulated by the royal author of *Demonology*, the august defender of the Christian faith.

Gautama only claimed for himself the merit of restoring the religion of former Buddhas; but he certainly revealed to mankind that essentially peaceful and pure system of morality which, through a long life, he inculcated with unwearied assiduity and unexampled success. That religion has now endured for twenty-four centuries, in despite of the attacks of enemies and the negligence of its guardians; in defiance, moreover, of the corruptions to which its unbounded tolerance and essential peacefulness has tempted capacious schismatics or grovelling votaries, who, in later days, required their faith to be quickened by wondrous legends, and their senses to be gratified by painted images. In the earlier and purer days of Buddhism, I believe that images of Gautama were unknown; and his relics were venerated, not worshipped, by his followers as the memorials of the founder of their religion.

Buddhism enjoins charity, peace, mercy, and universal benevolence; all these to be exemplified in active deeds, and to be sustained by a pure mind, with a hearty desire to relieve all sentient beings from mental sorrow or corporeal suffering. Its followers must not—

Follow the worship of false gods.

Destroy any animated being.

Commit adultery.

Trade in human beings, sell one's children, or transfer a slave.

Deprive any one of his property by violence, fraud, or deception.

Tell a falsehood, or utter words to conceal the truth.

Receive bribes.

Prepare or trade in poisons.

Prepare, sell, or use intoxicating liquors.

Envy the prosperity, or covet the property of another.

Wish evil to others, or suspect unjustly any one of evil thoughts or deeds.

Its followers are enjoined—

To reverence priests, and venerate parents.

To give alms to the priesthood and the poor.

To be active and industrious.

To be humble in mind, and mild of speech.

To conquer anger by gentleness.

To overcome evil by good.

To shame covetousness by liberality.

To destroy falsehood by truth.

I shall add a few of the apothegms, more clearly to show the morality of Gautama's system:—

The truly righteous shall see immortality; the impious are on the road to death.

Corporeal inflictions cannot defile the pure in spirit.

Kings, and their pride, and their splendour decay; but truth is immutable and eternal.

Man is liable to unjust censure, and to undeserved praise; but as the solid rock stands unshaken by the storm, so the wise man is unmoved by contempt or applause.

He that repays injury by retaliation, and anger by wrath, only advances in the path of error.

True nobility is not an inheritance, but is acquired by elevation of mind and virtuous actions.

He is the most successful warrior who has conquered himself.

Before a man decides that this body is worthy of all his care, let him ponder on the skeletons of the departed.

From this outline, it will appear how worthy of praise is the moral system of Gautama Buddha; and on the more mysterious parts of his doctrine, obscured as it has been by absurd commentaries, I shall not enter, but content myself with observing that it must be condemned more for great deficiencies than for actual faults.

As teachers of this system, the Buddhist priests cannot have much sympathy with a legislation that has fearfully extended drunkenness and gambling, with their accompaniments of demoralisation and crime. I cannot, therefore, agree in condemning the "baneful influence" of the priests, because they may look with eyes of discontent on measures openly unjust to themselves and their religion, to their kindred and people. Yet, under these pro-



vocations, I disbelieve the confident and repeated assertions, (for they are disproved by facts,) that the Buddhist priesthood advocated rebellion or assisted insurrection. But I know that not long since the priests had much more influence; that the people were then happy and contented; crime much less; gambling but little practised; drunkenness almost unknown; and the suspected gambler or drunkard was shunned as an outcast. Every one who knows the Kandian people and country, will admit how much we may still injure the Buddhist religion; but that, in so doing, we now act according to the spirit of Christianity, or for the benefit of pure morality, I deny. The present rulers of Ceylon have withdrawn that outward support from the Buddhist religion to which it was entitled, under the most solemn engagements; and certainly no one can accuse them of retaining its principles, or practising its morality.

An aspirant for the Buddhist sacerdotal office generally commences his noviciate in early youth, as page and pupil to an established priest. After three years, if found qualified, he may be admitted into the lowest order of the regular priesthood; at the age of twenty, he may be again examined, in an assembly consisting of at least twenty priests; then, if his acquirements are found sufficient, and his character be unquestioned, he is ordained into the highest grade of the Buddhist priesthood. By their religious ordinances, priests are forbidden to possess money or property, and are restricted from all corporeal gratifications. They are not even allowed indulgences and comforts that are attainable by the lowest class of their countrymen, but are to look for happiness in mental tranquillity and hopes of a brighter futurity. Priests, if they find their self-denial insufficient, may, without disgrace, resign the yellow robe, and become laymen. If they have committed venial faults, they may, on confession, be reprimanded and absolved; but if they have been guilty of crimes, they must be stripped of their yellow robes, and be expelled from the ministry. After being invested with the yellow robe, the well-known symbol of his calling, a Buddhist priest can acknowledge no superior in position, except amongst the hierarchs of his own religion. It has been asserted that priests have no under garments, which is an error; and although they show themselves as seldom as possible without their yellow robe, yet there is a particular name for the cloth which priests use in bathing. Clothed in this, they may often be met in by-paths or on a journey by those who approach suddenly, and give them no time to assume their external covering of sanctity.

In the earlier days of Buddhism and of Cingalese history, there were priestesses as well as priests; but, to Europeans, the appellation monks and nuns would give a much more correct idea of the duties required from, or the indulgences denied to, those who consecrated themselves to the service of that religion. It is a very long time,

however, since any of the females of Ceylon hampered themselves by the vows, or volunteered to endure the mortifications, required of those who were admitted into establishments of the Buddhist religion.

The similarity between the form of the earliest Norman churches and the most ancient and noble of the rock-cut temples of the Buddhists, has already attracted observation. Although not in Ceylon, I give a short account of Karli, as the earliest and most perfect specimen of a temple exclusively dedicated to the religion of Gautama Buddha. It was formed in the palmy days of that religion, and is remarkable not only for wondrous labour in execution, but for an arrangement of parts and of light, which has been pronounced, by an accurate observer, as calculated to produce an effect superior to that of any temple, ancient or modern.

To enter this fane from the outer hall, you pass through a door formed in a rock screen, which is richly sculptured with bas-relief figures; and there find yourself beneath a gallery, over which, in the screen, is an immense window of nearly the same form as the vaulted roof of the interior. This is the only window, and it admits the direct rays of a declining sun in such a manner that they pass above the gloom which prevails in the lower part of the temple, and rest with a rich and subdued light on the sanctuary of the relic, which is situated near the eastern or inner extremity of the nave. The shrine being the only white portion of the interior, seems absolutely radiant when contrasted with the shadowy twilight which pervades all other portions of the fane; this effect, although partly proceeding from the dark colour of the rock, and partly from the admirable and unique arrangement of light, is rendered more powerful by the deep obscurity of the aisles that extend around, and lie beyond the range of massive pillars that separate the aisle from the body of the temple. At first it is difficult for the mind to realise the fact that the high over-arching roof is not entirely supported by the thickest columns that surround the nave. And still more difficult is it to conceive that every minute portion of sculpture, like the solid columns and their elephant-cumbered capitals, have never been totally disconnected; in fact, ever have been and for ever may remain, an integral part of the parent mountain.

I have already said that the shrine is situated near the inner extremity of the excavation: that end is circular, and the length of the temple, about one hundred and ten feet from west to east, is somewhat more than double its breadth. As neither the east nor the west was hallowed to Buddhists as the place of Gautama's original inspiration, or of his final apotheosis—neither famed for being the scene of his successful mission, nor for possessing the site of his residence—it follows that the position and arrangement of his temples were probably derived from authoritative precedent, or have been suggested by the intelligence of the architect. At all



events, Karli is the original form from which have been copied all the principal Buddhist temples of Western India. From the Pali annals of Ceylon, I am inclined to believe that the plan of this fane was conveyed from the capital of India by the Buddhist high-priest and apostle, Dhamma Rakkhito, or by some of the followers of his mission, to the Maharatta country, B.C. 307. As it must have taken many years to finish this excavation, the usual date assigned to the inscription on the external pillar, surmounted by a group of lions—viz., the second century before the Christian era—may probably be the period which marks the completion of this Buddhist cathedral.

In the immediate neighbourhood of the town of Kandy are situated the two Buddhist colleges, to one of which every regular priest must belong. Over each of these establishments are placed two high-priests, one of whom has superior authority. These high-priests were appointed by the Kandian King, and afterwards by the British Government, until lately, when the influence consequent on that unquestioned prerogative was rashly abandoned, in such a manner as to appear an insult, and prove an injury to the Buddhist religion.

The chief places of Buddhist worship in Ceylon are the Malegawa at Kandy, and the rock-cut temples at Dambool, Aluewiharé, Ridiwiharé, and Mulgirigalle. It is only as containing the Dalada relic, a supposed tooth of Buddha, that the temple at Kandy is at all remarkable. This relic, during a persecution of the Buddhists, A.D. 309, was brought to the island by the daughter and son-in-law of the King of Kalinga. The Princess, with the Dalada concealed in her hair, and accompanied by her husband, having escaped from the beleaguered town of Dantapoorá, on the Coromandel coast, delivered the relic in safety to the King of Ceylon at Anurádhapoorá. Since then it has, by natives, been considered the palladium of the country; and they believe that the sovereign power is attached to its possessors. At Anurádhapoorá and Pollannarrua, the ruins of the buildings in which it was kept are still remarkable for the excellence of their masonry. In A.D. 1560, say the Portuguese historians, this relic was taken in the town of Yapahoo, by a force under Constantine de Braganza, who refused for it an enormous ransom, and caused it to be publicly burned. The Cingalese historians deny that it was captured, and state how and where it was concealed, and assert that the Portuguese vented their wrath on a counterfeit. Previous to the rebellion in 1817, it was abstracted from its splendid and valuable shrine, but was afterwards recovered by the British authorities. In 1828, it was publicly and officially exhibited to the people. In 1847 its custody was entirely abandoned by the British Government; but a few months after, in 1848, (whether as a traitor or a conspirator, a principal or an accessory, I know not,) it was seized and



kept in close arrest. Although then deprived of the ceremonies and attendance to which it had been so long accustomed, its power being thus admitted by British authorities may well atone for that temporary disrespect; for it will naturally be deemed a proof that their avowed scepticism of the influence of the Dalada was not founded on conviction.

At Dambool are several temples, formed with great labour under a huge overhanging rock, whose summit is a hundred feet above the excavations, and five hundred from the surrounding forests. In one of the temples, cut from the rock, is a statue of Buddha in the attitude in which he expired: the figure, forty-seven feet in length, reclines on a couch, with the head and one hand resting on a pillow. The largest of these rock-cut temples was formed B.C. 86. It is one hundred and seventy-two feet in length, seventy-five in breadth, and twenty-one in height. The Dambool temples are much alluded to in the Blue Book; and the persecution of the aged and respectable chief priest of the district has not been omitted in my notice of recent events.

The Aluewiharé rocks are more remarkable for their appearance and their history, than for the temples beneath them. It was here, about four hundred and fifty years after the death of Gautama, that the tenets of Buddhism were first reduced to writing by an assembly of five hundred of the most learned Buddhist priests. Limited space warns me that I must leave the temples of their religion, and revert to the history of the Cingalese under their native sovereigns.

In the middle of the sixth century before the Christian era, commences the connected narrative of Cingalese history. At that time Vijeya, a prince of the Singha race, and of royal descent, left one of the subordinate kingdoms of Maghada (Bahar,) landed with seven hundred followers on the island of Lanka, and by energy, not unaccompanied by perfidy, cruelty, and perjury, succeeded in establishing himself as sovereign over the various principalities into which the country was then divided. That sovereignty was transmitted to his kindred, and continued with their descendants for two thousand three hundred and fifty-seven years, until the last of the dynasty, in A. D. 1815, passed from the independent throne of Kandy to the British prison of Vellore.

The two names by which Ceylon was best known in the western world seem to have had their origin about the period of Vijeya's conquest. Tambapatti, or Tambrapani, is the name usually employed by historians who have written in the Maghada (Pali) language; and in all probability "Taprobane" is but a corruption of the name used by those who have written in the sacred language of the Buddhists. The patronymic of the conquering race which then obtained supreme power—viz., the Singha or Siha, is perpetuated in the name now in general use, but generally written

Singhala, Sihala, Sihalen, Ceylon. The chronicles of the Singha dynasty contain, I believe, the longest continuous list of kings which any authentic history has recorded. These histories are to be found both in the Pali and in the Cingalese languages, and are verified by every kind of evidence that can be adduced in support of the written memorials of remote events.

The history commences with the invasion of Vijeya, B.C. 543 ; but for the next two hundred and thirty-seven years there are some discrepancies in the Cingalese chronicles, which do not exactly agree regarding the length of all the reigns, or even in the number of kings that ruled Ceylon in that period. This may be accounted for by the fact that the religion of Gautama Buddha was not then established in all its purity ; nor do the kings of the Singha race seem, at that time, to have possessed unquestioned and undivided power. The reign of Tisso commenced B.C. 306, and with it a new era—the complete establishment of Gautama's religion, which then obtained an influence that is, in a modified degree, subsisting at the present day. In this reign arrived the religious missions, at the head of which came a high priest and priestess, who were of the royal race, and deputed by Asóka, the paramount sovereign in central India. They were intrusted with many relics of Gautama, and accompanied by envoys who conveyed less precious, but more costly, gifts to the King of Ceylon. With these deputations arrived persons of every rank and of every trade, who by the liberality of Tisso were induced to settle in the island. From individuals in the higher class of these emigrants, do some of the Kandian chiefs claim descent, through upwards of twenty centuries to the present day. It is true that the records of their lineage are no satisfactory proofs of their claims ; yet, considering the Cingalese law and practice of adoption, there is nothing impossible in their ancestral pretensions. The evident intention lately, by arbitrary and illegal means, to dispossess this ancient race of the fields of their ancestors, and to give their inheritance to strangers in the land, who were evidently expected to be the labourers for Europeans, is one of the attempts which I have eagerly exposed. But had the scheme been successful, so far as plundering the Kandians, it would have proved a signal failure as regards the work of the favoured and inferior race who were to supplant them. Once settled with his portion of a field, and having formed his garden, the Malabar Coolie, no longer stimulated by necessity, would do just as the Cingalese now do, or any other race would do there or elsewhere—they would prefer cultivating their own field and garden, and would only work for Europeans when it suited themselves, and where they were sure of good treatment and certain payment.

Whoever may be the descendants of the Maghada emigrants, it is evident that, from the period of their arrival, a wonderful and

sudden impulse was given to government, to religion, and to the arts in Ceylon; and that impulse continued to uphold in general prosperity the Cingalese nation for five hundred and eighty years. During that period its religious fame extended over all Buddhist countries, and was maintained and increased at home by the erection of many great monuments dedicated to religion. The architecture, as well as the great number and vast size of these buildings, will be noticed under the head of antiquities, and may enable our readers to judge if the epithet be appropriate which the native historians have applied to the fifty-four earliest kings of the Singha race. These kings are called "the great dynasty;" for although Mahasen, the last of them, was succeeded by his son, who continued the succession, yet the declining wealth, power, and prosperity of the island has caused all the later monarchs to be classed in the "inferior dynasty." This terminated in A.D. 1815, when the cocked-hat and cock's-tail feathers supplanted the jewel-crowned diadem, which for more than twenty centuries had distinguished the rulers of Ceylon.

As the proofs of ancient prosperity, and an outline of Cingalese history, will be found in the notice of native monuments, I shall close this paragraph with the following statistics of Cingalese royalty.—Excluding the kings who reigned before Tisso, and commencing B.C. 306, I find that one hundred and fifty-nine sovereigns reigned for two thousand one hundred and twenty-two years. Dividing that period into four nearly equal parts, and taking the proportional length of a reign, it appears that, from B.C. 307 until A.D. 231, there were forty-one sovereigns, the average length of each reign being rather more than thirteen years. Nearly two-fifths of these sovereigns met violent deaths. From A.D. 232 until A.D. 769 there were forty-six sovereigns, the average length of their reigns being less than twelve years. Nearly one-third of these died by violence. From A.D. 770 until A.D. 1391 there were forty-two sovereigns, the average duration of their reigns being less than thirteen years. About one in seven of these died by violence. From A.D. 1302 until A.D. 1815 there were thirty sovereigns, the average length of each reign being seventeen years, and one in six having died by violence.\* The violent deaths may be thus classed—twenty-two were killed by their successors, six by individuals, thirteen fell in feuds or war, and four committed suicide. Eleven sovereigns were dethroned, whose after fate is unknown. Amongst these hundred and fifty-nine sovereigns, fifteen reigned for periods less than one year; and there were three, each of whose reigns endured upwards of fifty years.

\* In a period of English History nearly corresponding with this last division of Cingalese monarchs—viz., from A.D. 1307 until 1837, from Edward II. to William IV.—there were twenty-five sovereigns, the average length of each reign being upwards of twenty-one years, although nearly one-fourth of these died by violence.



The list of sovereigns includes five queens; the first of whom, Anoola, ascended the throne after having poisoned her husband, the King Kudatisso, B.C. 48. She afterwards married, and raised to the throne in succession five ministers, all of whom she despatched by poison; and, after a reign of five years and four months, was herself put to death by the son of her first husband.

I shall now take a rapid survey of some of the most remarkable monuments and ancient cities in Ceylon, and begin with the mountain of Adam's Peak, properly called Samanala, which from unrecorded ages to the present has possessed a sacred character; and its summit, 7429 feet above the level of the sea, has been a point of pilgrimage to all Eastern nations. Its consecrated pinnacle commands a wondrous scene of mountain and precipice, at once rich and beautiful, yet drear and desolate, from eternal forests and an overwhelming luxuriance of vegetation. Over this the eye wanders to the softened outline of swelling hills, and on until sea and sky are faintly traced, and finally lost in the ethereal haze that blends all distant objects, and alone gives limits to the glorious landscape. The peak was visited by Gautama Buddha, B.C. 577, who then found memorials of former Buddhas existing on its summit. The last part of the ascent of this mountain is difficult, and in stormy weather dangerous, but is somewhat facilitated by clumsy iron chains, which the piety of former devotees have placed for the benefit of future pilgrims. The summit, about seventy feet in length by thirty in breadth, is surrounded by a wall; and the centre is occupied by the granite peak, nine feet in height, on which, from the earliest ages, the faint resemblance to an enormous footstep has been the goal, which millions of people led by enthusiasm have reached with exultation. This footstep, five and a half feet in length, is venerated by the Buddhists as a memorial of Gautama. By the Hindus it is believed to have been imprinted by Siva; and eastern Mahommedans assert that it is the spot where Adam stood on one foot, until he had expiated that offence for which he was cast down from a paradise above, to this Eden of the eastern wave. Over the precipitous sides of the Peak, particularly on the east, extends a superb grove of scarlet-flowering rhododendron trees, which is dedicated to Saman, the god whose name the mountain bears; and here an overhanging rock is pointed out as the place under which all the Buddhas have reclined in their visits to this eternal altar of early superstition.

Of the ancient cities, the ruins of which still exist in Ceylon, Anurádhapoorá was by far the greatest, both in extent and in magnificence. It became the capital of the island B.C. 437, and maintained its pre-eminence for upwards of twelve hundred years. Its walls were completed in the first century of the Christian era, and are described as being sixty-four miles in extent. Great as the amount of its inhabitants undoubtedly was, the vast space thus

enclosed would give an exaggerated idea of the number of people it contained, if we did not know that within the walls were eight large artificial lakes, and the rice fields which they irrigated; also that an immense number of temples, surrounded by gardens and extensive plantations, occupied a considerable part of the area. Even shady forest grounds are enumerated amongst the blessings and beauties of this religious metropolis; which probably included in its bounds the temple-crested peaks and rocky mountain of Mehintalai.

In the quarries at Anurádhapoorā there exists abundant evidence, that the blocks from which the largest pillars were formed had been riven from the granite rock by means of wedges; and the mark of the chisel may everywhere be detected in the more finished portions of both plain and ornamental masonry throughout the ruins of the city. As statuaries, the early Cingalese cannot claim great merit, if I may judge from the figures of three kings which, although mutilated, are still sufficient to witness against the artists. These kings reigned between B.C. 306 and A.D. 9, therefore I may conclude that their statues were formed in the golden age of Ceylon art, and at a period when some of the greatest buildings were erected, and some of the most minute and beautiful of the existing sculptures were executed.

The most remarkable of the remains of ancient grandeur, are the Dagobas, or monumental tombs of the relics of Gautama Buddha. These buildings are always of a bell-shape, surmounted by a spire: and although variously modified in different countries and at distant eras, this form of tabernacle may be traced in all regions which adopted his religion, and believed themselves possessed of any relics of their moral lawgiver. It is only in size and materials that these stupendous monuments, the Dagobas of Anurádhapoorā, differ from the costly shrine that contains the Dalada relic, and stands on the silver table in the sanctum of the Kandian temple. The mount of masonry whose pinnacle reached as high as the cross of St Paul's, and the minute casket of gold overlaid with rubies, were formed for the same object, and copied from the same original. Each contains a shrunken atom of mortality, and both are modelled from the tomb that covered the ashes of Gautama Buddha. Only two of these monuments are known to have been erected in Ceylon prior to the religious mission sent by Asóka, the sovereign of India, in B.C. 306—viz., Myungana near Beentenne, in which, B.C. 588, was enshrined a portion of the hair of Gautama, preserved from the time when he assumed the position of a Buddha; and Kelania near Colombo, at which place, B.C. 580, a Dagoba was erected over a throne on which Gautama had rested. These monuments were afterwards incased and greatly increased in size; and still exist in their altered form.

The earliest Dagoba erected at Anurádhapoorā was founded



B.C. 306. It is still surrounded by several lines of graceful pillars, fixed in the elevated granite platform, on the centre of which rises the mass of building which encloses the collar-bone of Gautama. Those pillars are twenty-four feet in height, with square bases, octagonal shafts, and circular capitals. The base and shaft of a pillar, being about fourteen inches in thickness, and twenty-two feet in length, are one stone. The capitals are much broader than the base, and are highly ornamented.

The Ruanwelli Dagoba was built in the second century before the Christian era. It was originally two hundred and seventy feet in height, and a secret under-ground passage existed, which led into the chamber that contained the relics. Mahanama, who wrote his history before A.D. 477, mentions that the king Sanghatissa (who was poisoned A.D. 246,) placed a pinnacle of glass on the spire of Ruanwelli, "to serve as a protection against lightning." This shows that the Cingalese were then aware that glass was a non-conductor of the electric fluid.

The Abhayagiri Dagoba, built between B.C. 88 and 76, was the largest ever erected in Ceylon, and was said to have been four hundred and five feet in height. The summit of the ruin is now two hundred and thirty feet above the granite pavement of the great square platform from which the monument rises.

The ruins of the Jaitawana Dagoba are now two hundred and sixty-nine feet above the surrounding plain. A gentleman, in 1832, calculated the cubic contents of this monument at 456·071 cubic yards; and remarked that, with the bricks that it contained, a wall twelve feet in height, two in breadth, and ninety-seven miles in length, might be constructed. This temple was commenced by the last king of the "great dynasty," and completed by his successor, A.D. 310.

Of the same date as the earliest temple at Anurádhapoora, and superior in sanctity to any of them, is the sacred tree, which was originally a branch of that under which Gautama had found shade. It was sent by Asóka, the sovereign of India, as a gift to the King of Ceylon, B.C. 306. From the self-renovating properties and tenacity of life of the *figus religiosa*, there is no improbability in the various stems, now rising from or projecting through the four terraces, being legitimate offshoots of their travelled ancestor. Nor is there any reason why the connected representatives of the existing trunks may not occupy the same enclosure, at a period of time as prospectively remote as that to which we look back, when the original shoot was planted, amidst shouts of triumph that arose from the assembled multitude.

The remains of the brazen palace built for priests, B.C. 142, consist of sixteen hundred stone pillars, disposed in forty lines—forty in each line. These pillars, nearly all upright, and from nine to eleven feet above ground, formerly supported a superstructure



of nine stories, and two hundred and seventy feet in height. Being originally covered with a roof of yellow metal was the origin of the name by which it is commonly known—viz., “The Brazen Palace.”

It is nearly a thousand years since Anurádhapoorā ceased to be the capital of the island; and now the forest, resuming its empire, shrouds the whole extent of the city, and, nourished by their waste, waves its arms in triumph, high over the summit of the loftiest monuments.

Anurádhapoorā, as a capital, was abandoned for Pollannarrua, which for five hundred and fifty years continued the seat of government, and was in its turn deserted, A.D. 1319. The ruins here, although very interesting—and some of them, particularly the Jaitawana temple, of imposing size and architecture—are nevertheless very inferior to the remains of the capital of the “great dynasty.”

The ruins of the city of Mágam, situated in the forest, on the south-eastern part of Ceylon, affords a convincing proof of the great population that existed in the island in the second and third centuries before the Christian era: for Mágam was not the capital, and all its monuments were erected within a hundred and fifty years, and prior to B. C. 140. Yet its temples, its tanks, and its extent, seem to have equalled Pollannarrua, the principal capital of the island under the “inferior dynasty.”

Sigiri is a rock-fort, whose high overhanging summit is now inaccessible; but around its base, and up to a considerable height, are to be seen curious and interesting remains of antiquity. In A.D. 478, when “Kásyapa the parricide” became king, he removed the treasure and regalia to this impregnable fortress. After a reign of eighteen years, Kásyapa, being defeated by his brother, committed suicide on the field of battle; and this extraordinary stronghold then ceased to be a capital.

In the last five hundred years of native dominion, the capital was six times changed. From Pollannarrua it was removed to Dambadenia; then to Yapáhoo, Kurunaigalla, Gampola, Kotta, and Kandy. The remains of these temporary capitals are underserving of notice, when compared with the cities of a former age and more numerous people; but from its greater importance in the modern history of the island, I may note that Kandy was the native capital, and had been for nearly two hundred and fifty years prior to 1815, at which time the British sent back to the continent, as a prisoner, the representative of the Singha prince who landed in the island, and became its conqueror, in the sixth century before the Christian era.

The history of the Portuguese and Dutch in Ceylon requires but little notice, and is chiefly remarkable for the bigotry of the former, the cupidity of the latter, and the unjust conduct of both

nations in regard to the natives of the island. The Portuguese first reached Ceylon in 1505. In 1519, they completed a fort at Colombo; and within the next hundred years obtained possession of a great part of the coasts of the island and the adjacent territory. To defend these possessions they erected eight forts, which successively fell into the hands of their European competitors and enemies; Colombo having surrendered to the Dutch in 1656, and Jaffna, the last possession held by the Portuguese in Ceylon, being taken in 1658. After being firmly established on the coast of the island, the Portuguese frequently attempted to gain by intrigue, or to seize by conquest, the Kandian country; but although they repeatedly obtained possession of the capital, they were always driven from the interior with great loss. Their career, if it were sometimes distinguished by daring deeds, was at least as remarkable for want of integrity and desperate crimes, which greatly conduced to their own ruin, and final expulsion from the island.

In 1602 the Dutch visited Ceylon, and their admiral, Spilbergen, having entered into communication with the Kandian king, proceeded to Kandy, where he was treated with the greatest respect and kindness by the intelligent and politic Wimala Dharma. Soon after the departure of Spilbergen, another expedition from Holland reached Ceylon, and the Kandian king proceeded to the coast to communicate with the commander, Sibald de Weerd. In the course of their interview, De Weerd, who was partially intoxicated, made use of such coarse and insulting language, that the king exclaimed to his followers, "Bind that dog;" and in the struggle that ensued, De Weerd and several of the Dutch were killed. Wimala Dharma expressed regret for the death of De Weerd's attendants; but regarding the death of the commander, addressed this letter to his successor,—“He who drinks wine is good for nothing. God has executed justice. If you desire peace, let there be peace; if war, war.” In 1670, one of the Dutch ambassadors, who had long been detained by the Kandian tyrant Raja Singha, determined to regain his liberty or lose his life. He proceeded, in full dress, to the audience-hall at Kandy, took a formal and respectful leave, as if the king had been present, and then started on his journey. Raja Singha directed the chiefs to furnish him with supplies, and he arrived safe at Colombo. In 1763 the Dutch invaded the Kandian country, seized its capital, and occupied the surrounding districts; but were soon compelled to abandon their conquest, and to retire within their former limits.

In 1796, almost without opposition, the Dutch possessions in Ceylon, comprising all the maritime provinces, were surrendered to a British force sent from the continent of India.

The first official communication from the British to the Cingalese, was made at a time when Great Britain was at peace with Holland, and was an embassy sent to the King of Ceylon by the



Government of Madras. The ambassador explained the power of the British, their ability to serve, and their anxiety to assist with supplies, the Kandian king, who was then at war with the Dutch. As no results ensued to the Cingalese from this proffered assistance, and accepted alliance, they valued it accordingly; and when Mr H. Boyd came to Kandy on a similar errand in 1782, he appealed in vain to "the known integrity of the British,"—the Kandian authorities intimating pretty plainly that, with them, former facts weighed heavier than present words.

The British having, in 1796, taken from the Dutch all their possessions in Ceylon, they remained from that time, until 1798, under the control of the Madras Government. The system then introduced caused serious disturbances, and produced a feeling of general dissatisfaction, which was not undeserved, and is not yet forgotten. In 1798, Ceylon was made a king's colony, and the Honourable Frederick North (afterwards Lord Guildford) arrived as governor. In 1799, the first Adikar, (minister of the Kandian king,) Pilamé Taláwe, hinted to the British his own plans of ambition, and the advantages which the British might gain if they assisted in his elevation to the throne, which was to become vacant for the minister by the assassination of his master.

In 1800, the Adikar more explicitly avowed these plans, which, we are told, were rejected with scorn by the British governor. The amiable character of Mr North leaves no doubt that this was the case; but much that follows requires explanation, or remains inexcusable. After such insulting proposals, the continued communication with this regicide in intention, and traitor in fact, assumed more the form of secret intrigues than political negotiations. The commander of the forces was sent as ambassador to Kandy, to propose a treaty which would have depressed the Kandian king to the position of a captive, and have elevated Pilamé Taláwe to the power of a sovereign. It must also be remembered, that at this time the cruelties and wickedness of the minister were well known: whilst the king was yet young, and the crimes which had disgraced his reign were attributed to the noxious influence of the Adikar. This embassy proved a failure, and did not deserve success; but, like former embassies, the official interviews were so judiciously arranged by the Kandian authorities, as to exalt the power of the native monarch in the eyes of his people.

In February 1803, to requite the aggressions and insults of the Kandian government, a large British force marched to the interior, and entered the town of Kandy, which had been abandoned by the native court and the Cingalese inhabitants. Mootoo Sawmy, a near connexion of the late sovereign, who died in 1798, was then escorted to the capital by a British force, and proclaimed as king of Kandy. His protectors next entered into a treaty with him as an independent sovereign, by which they agreed to assist him, if



necessary, with an auxiliary force, and stipulated, in return, for the cession of his most valuable provinces. This was about the 8th March; and on the 29th of the same month, at a conference held between Pilamé Taláwe and the British commander of the forces, it was agreed that the real king should be delivered over to the care of the British; that the king just acknowledged and placed on the throne by them, should be reduced to the condition of a pensioner; and that Pilamé Taláwe was to be invested with supreme authority in Kandy; after which, he promised to cede to the British the same extent of territory as had been agreed to by Mootoo Sawmy, whom they had so lately proclaimed, and now proposed to abandon. Although no extremity of distress would have excused such conduct, yet it is aggravated by the fact, that at the time of these intrigues there was an overwhelming British force in Kandy; and no appearance of extraordinary disease, or danger, in their position.

It was at this time that the British governor, at the request of Pilamé Taláwe, agreed to have a personal interview with him, and for that purpose proceeded to a place in the Kandian provinces. Here, in the beginning of May, the arrangement made between the traitor minister and the British commander of the forces, was ratified by the representative of his Britannic majesty. The governor "now thought the Adikar was sincere, and that he had at length determined to act with *good faith*!!" It was afterwards known that the accidental arrival of a strong party of troops alone prevented this "sincere" ally from showing his "good faith," by carrying off the British governor, as a prisoner, to the Kandian forests.

About this time the British force in Kandy, which had been most injudiciously reduced in numbers, became very sickly, and found themselves located in a most dangerous position—the buildings which they occupied being commanded by overhanging hills and tangled forests, that concealed and protected the hostile Kandians from the beleaguered garrison. On the 24th June, after having suffered considerable loss, Major Davie, who commanded the troops, displayed a flag of truce, and accepted terms, by which he agreed to abandon Kandy, and to leave his sick, which were to be sent after him—at least such was the promise of the Adikar; and also that the passage of the river near Kandy, and the retreat of the British force, was to be facilitated.

On the arrival of the troops at the bank of the river, it was found that, in place of assistance, the canoes had been removed from the ferry. Here the British commander halted, and, unable to cross, made no effort to recede; nor, although he had about four hundred men, and seventeen officers under his command, did he attempt to disperse the half-armed rabble by whom he was surrounded. Grievous as were these faults, it is far more humiliating to confess

that a British officer sought to purchase a safe retreat for the force he commanded, by sacrificing those whom, by every tie of humanity and honour, he was bound to protect. The man whom the British had enticed into the country, and enthroned as its king, Mootoo Sawmy, and his followers, were surrendered to the demands of his ferocious rival, who again promised to afford assistance to the retreat of the British. Mootoo Sawmy, and most of his adherents, were immediately put to death—some of them by torture, and others of inferior rank had their noses and ears cut off. To conclude this melancholy detail, the troops, having been ordered to lay down their arms, were conducted in parties, two or three at a time, into a ravine, under pretence of escorting them to a place where canoes were provided, in which they were to cross the river. When out of sight of their comrades, they were all basely murdered by a set of Caffres, renegade Malays, and Kandian executioners. At the same time, the sick of the British force left in Kandy, about one hundred and fifty in number, shared a like fate, by orders of the Kandian king, who was alone responsible for these butcheries. Even Pilamé Taláwe, hitherto his instructor in cruelty, remonstrated against the order to kill those who had surrendered; for it was not his object, because it was not his interest, to be concerned in a deed which must thereafter prevent him from benefiting by his secret alliance with the British authorities. The king, in reply, hinted his knowledge that treachery, not humanity, was the cause of the Adikar's scruples; and he, aware of his own guilt, proceeded at once to gratify his master, in hopes to avert farther suspicion. Major Davie's life was spared; and he survived for seven years, living unmolested, almost unnoticed, in the town of Kandy.

It is gratifying to record the strict fidelity, and high feelings of honour, which at this time distinguished the conduct of Nouradeen, and another native officer, who commanded the Malay part of the force that surrendered. They refused all the offers made by the king to tempt them into his service, until at last the tyrant, finding that neither promises nor threats could induce them to break their oath of allegiance to the British government, caused them to be put to death, two months after the butchery of their European comrades.

After the massacre, the escape of Corporal Barnsley was very remarkable. He had received a severe sword-cut on his neck, and a contusion on the head, from the blow of a club, and was left amongst the dead; but, during the night, he recovered sufficiently to swim across the river, and being relieved by various Kandians, at great peril to themselves, reached a British post in Mátaalé, and, along with its garrison, escaped to Trinkomalee.

Elated by his success, the Kandian king assembled a large force, and proceeded on his way to attack Colombo; but on reaching a



frontier post, eighteen miles from thence, he was entirely defeated by a party of one hundred men, mostly invalids, under the command of Captain Pollock. This small force routed the rabble army, with which it was intended to expel the British from all their possessions in Ceylon. Next year, 1804, a party of three hundred men, under the command of Captain Johnston, marched through the Kandian territories, took the capital, and forced their way to Trinkomalee. This expedition, and his late defeat, gave the Kandian monarch a more just idea of his own position and the British power. Thenceforth he was sufficiently employed within the limits of his own country, at first in guarding against the machinations of his minister, and afterwards in suppressing disturbances which were produced by his own tyranny.

Nothing of material interest occurred from 1804 until 1815, when Sir Robert Brownrigg united the whole island under British dominion, by the acquisition of the Kandian country. But before we proceed, it becomes necessary to mention the causes which led to that increase of territory. After the defeat of the Kandian king by the British, he continued a course of oppression and cruelty to his own subjects, along with which occurred an act of just severity,—viz., the execution of Pilamé Taláwe, who had arranged an abortive insurrection, and failed in an attempt to procure the assassination of his royal master. This was in 1812; and still the tyranny of the king increased, up to 1814, when his barbarous cruelties united the whole Kandian people in feelings of pity for his victims, and abhorrence of the author of their sufferings.

Eheylapola, who had succeeded Pilamé Taláwe as first Adikar, was compelled, in 1814, to seek safety in flight, and escaped to Colombo; but many of his followers, and also his wife and family, were seized, and on them fell the full vengeance of a monster, whose concentrated wrath found vent in cruelties, original, and probably unsurpassable, in fiendish malignity. Of the friends and adherents of the Adikar, many were impaled, or put to death by other forms of torture: but the worst was reserved for the wife of Eheylapola. She, with her four children, were brought to the wide street in front of the palace; and there, in succession, each child was beheaded, and the mother compelled to bruise the head in a rice-mortar. Before these executions commenced, she with great dignity and resolution maintained the justice of her husband's conduct, and the innocence of herself and family; then, with most wonderful courage, she fulfilled the horrible injunctions of the tyrant, and, by so doing, saved herself and her relations from degrading and disgraceful tortures. The eldest of the children was eleven years of age, and the youngest was snatched from its mother's breast to be beheaded; and it was noted that the milk it had just drawn, was seen to mix with the life-blood of this innocent victim. After thus being compelled to witness the destruction of her family,



the wife of Eheylapola, and two female relations, were led to a small lake near Kandy, and drowned.

The Kandians were paralysed by these atrocities; and it is said that, except in the palace, no fire was lighted, nor food cooked, by the inhabitants of the capital, on that or the following day. It is probable that the doom of the king, and the termination of his dynasty, would have been sealed by this execution, which was alike in defiance of the laws and religion of the country; but reckless of consequences, he put to death a high priest, who was believed to be innocent, and caused several traders, British subjects, to be mutilated; so that only three out of ten who were thus treated, survived to witness the downfall of their oppressor.

On reading such a record of cruelty and crime, Britons, ever apt to excuse the faults and overpraise the advantages of their own governments in the East, will doubtless imagine that, on taking possession of the Kandian country, humanity and deliberate justice was for ever established in the place of cruelty and despotism. They ought to remember, however, that all Cingalese kings were not like the last; and that some of them, literally obeying the commandments of their religion, would not even sanction the execution of convicted criminals. On the other hand, it remains to be proved, whether law, justice, and mercy have not been violated in the British treatment of their Kandian fellow-subjects.

THE END.









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